

IN THE MATTER OF
 THE APPLICATION OF
HOLLINS FERRY SENIOR HOUSING LTD.
PARTNERSHIP /ASSOCIATED CATHOLIC
CHARITIES -C.P.; BALTIMORE COUNTY,
MARYLAND -LEGAL OWNER FOR AN
AMENDMENT TO APPROVED DOCUMENTED
SITE PLAN FOR PROPERTY LOCATED ON
THE NORTH SIDE HOLLINS FERRY ROAD,
510' E OF CHARLESTON AVENUE
13TH ELECTION DISTRICT
1ST COUNCILMANIC DISTRICT

* BEFORE THE
 * COUNTY BOARD OF APPEALS
 * OF
 * BALTIMORE COUNTY
 * CASE NO. CR-96-270-A
 * (AMENDMENT TO DOCUMENTED
 * SITE PLAN)

* * * * *

O P I N I O N

This case comes to the Board of Appeals for the purpose of accepting, on the record, the Petitioner's proposed amendment to the Documented Site Plan, which was originally approved by this Board on March 15, 1996. On October 14, 1997, this Board, by memo, transmitted the proposed amendment to the Planning Office, with that office distributing copies to all appropriate County agencies. By letter dated November 13, 1997, Arnold F. "Pat" Keller III, Director of Baltimore County's Planning Office, notified the Board that his office had reviewed the amendment in Case No. CR-96-270-A (Hollins Ferry Senior Housing Ltd. Partnership /Associated Catholic Charities) and had determined that the changes were consistent with the Documented Site Plan approved by this Board on March 15, 1996, and that the Planning staff approved the proposed amendment to the Documented Site Plan.

The Board's file also reflects adequate posting of the property, with no objections being filed by the general public; and no protestants appearing at the hearing. Petitioner is requesting a variance from Section(s) 1B01.2.C.1.a of the Baltimore County Zoning Regulations (BCZR) to allow a front yard setback of 44 feet

in lieu of the 60 feet required; and a special hearing to amend the documented site plan, previously approved in Case No. CR-96-270-A.

Robert A. Hoffman, Esquire, VENABLE, BAETJER & HOWARD, LLP, represented the Petitioner, and Carole S. Demilio, Deputy People's for Baltimore County, also participated in these proceedings. Opening statements were offered by both parties to the hearing.

Ms. Demilio acknowledged that the out-of-cycle reclassification was granted by this Board on March 15, 1996; and that an amendment to the site plan, along with variances, was being requested by the Petitioner under Section 2-356(p) of the Baltimore County Code; and that this Board may determine the legitimacy of the variance requested, provided that the Petitioner can establish the statutory and judicially imposed requirements concerning same.

This Board determined in its original Order of March 15, 1996, that the County Council had erred in its original D.R.5.5 zoning classification and had ordered a reclassification to D.R. 16 for reasons so stated in the original Order.

Mr. Anthony Cortel testified on behalf of the Petitioner and stated his 30 years experience in the fields of land planning and architectural design. He holds a degree in Land Planning and Architectural Design and was accepted as an expert in those fields by both counsel. Petitioner's Exhibit No. 1, the Documented Site Plan, and Petitioner's Exhibit No. 2, Revision #3, illustrated revision of location of the zone lines, for the Petitioner's

Exhibit 1A, the actual design. Mr. Cortel testified that the restrictive line moved into the building envelope, with no other lines being affected. He stated that he did not want to alter the landscape buffer in the rear of the property, since the buffer was important to the local community; and, in particular, the adjacent townhouse owners. He opined that the building setback and location were not being changed. He testified that the location of the building was unique, since the Petitioner had diligently searched the area for other sites; and vacant sites to accommodate this type of senior citizen housing were virtually non-existent. He also related the hardship to the Petitioner to change the building because of its unique location; and that the proposed changes met the spirit and intent of the zoning law and regulations.

On the original Documented Site Plan, the Petitioner had envisioned the building envelope with a setback for front building to tract boundary of 40 feet, which it believed to be in compliance with the requirements set forth in Section 1B01.2.C.1.a of the BCZR. The Plan was approved with setbacks as shown on the original plan. Subsequently, however, it was discovered that, because Hollins Ferry Road is an arterial roadway, a larger setback was required for the building envelope than was originally proposed and approved in the Documented Site Plan. BCZR Section 1B01.2.C.1.a required an additional setback of 20 feet for buildings located adjacent to arterial roadways. Mr. Cortel described the buffer area as one consisting of trees and undergrowth, and that the

neighbors assumed the buffer would remain the same. Any reduction in building size would make the project as an elderly housing facility impractical. Mr. Cortel further stated that approval of the plan would not have any significant impact on the development.

Dale R. McArdle also testified on behalf of the Associated Catholic Charities. He testified as to his extensive experience in locating acceptable sites for this type of facility, and of nearby facilities which, when completed, prompted community response for a second project, which resulted in this site plan. This particular site, he testified, was the only acceptable land use site for such a senior housing facility in the immediate area, and that the site consisted of 64 units as permitted by zoning and would be rented to senior citizens, with no more than \$16,000.00 annual income, for approximately \$400.00 per month. He stated that aesthetics were important and the buffer was significant to the site as an amenity to the neighborhood, and that to reduce the area would be contrary to what was presented to the community. Mr. McArdle described the action of the County Council in these types of ventures and that no other property in the area was available for this type of development, and that there was a serious lack of "green space" in the area. The type of vegetative buffer which had been proposed was described as unique in the area, and he testified as to the adverse impact that would be incurred if removed in any way.

The issue of practical difficulty was also related to by Mr.

McArdle to the extent that, if the developer were required to meet current setback requirements, it would impact the ability of the developer to go forward with the proposed units. It was additionally stated that substantially increased costs would be incurred, with a corresponding decrease in quality and a possible "chopping off" of 15 to 20 feet of the building if the original site plan could not be amended, along with the variance. He opined that to conform with the required setbacks would cause contemplated rents for each unit to increase and additionally cause "unusual havoc" on the total plan.

On cross-examination by Ms. Demilio, Mr. McArdle opined that changes could not be contained anywhere else on the site and that the original plans were in accordance with what the Petition and the regulations required. He also responded to inquiries concerning a sensitive balance existing between costs and units, and that any change would throw these off the anticipated equation. He also testified that the setback if approved would not negatively impact the community but that it would have a positive impact, in effect, by retaining the buffer for both the residents and nearby neighbors. People's Counsel stated that no one had objected to the Office of Planning letter dated November 13, 1997.

The Board held a public deliberation immediately following the hearing. This Board is constrained to follow the Baltimore County Zoning Regulations, Section 307.1, which outlines for the Board the criteria for granting variances. Petitioner is seeking a variance

from Section(s) 1B01.2.C.1.a of the Baltimore County Zoning Regulations to allow a front yard setback of 44 feet in lieu of the 60 feet required in a special hearing to amend the Documented Site Plan previously approved in Case No. CR-96-270-A. Based upon the testimony and evidence produced at the hearing, the Board concludes that the statutory requirements for the granting of a variance have been satisfied.

It is quite clear that the instant site is unique in a densely populated community that can accommodate a growing senior population; and that the Lansdowne /Baltimore Highlands area is an exceptional area whereby 25 percent of the homes are occupied by residents qualifying as "elderly." Additionally, the Board is persuaded from the testimony that, if the setback requirements were actually enforced, such enforcement would cause a practical difficulty and unreasonable hardship for the Petitioner; and that the proposed plan would retain the buffer area, without any severe impact on the immediate area. Indeed, the Board concludes that the practical difficulty is not that of Petitioner's own voluntary making; and that the granting of the variance would be positive, rather than negative, in nature and is within the spirit and intent of the zoning regulations.

For all of the above reasons, the Board will approve the Plan and Petition for Variances and will so order.

O R D E R

IT IS THEREFORE this 17th day of December, 1997 by the

County Board of Appeals of Baltimore County

ORDERED that Petitioner's request for amendment to the Documented Site Plan which was originally approved by this Board on March 15, 1996 is hereby APPROVED; and it is further

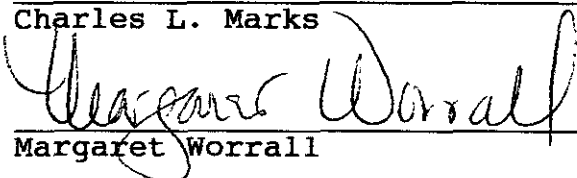
ORDERED that the Petition for Variance from Section 1B01.2.C.1.a. of the Baltimore County Zoning Regulations to allow a front yard setback of 44 feet in lieu of the 60 feet required be and is hereby GRANTED.

Any petition for judicial review from this decision must be made in accordance with Rules 7-201 through 7-210 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY


Kristine K. Nowanski, Chairman


Charles L. Marks


Margaret Worrall



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180

December 17, 1997

Robert A. Hoffman, Esquire
VENABLE, BAETJER & HOWARD, LLP
210 Allegheny Avenue
Towson, MD 21204

RE: Case No. CR-96-270-A /Amendment
Hollins Ferry Senior Housing Ltd.
Partnership /Associated Catholic Charities

Dear Mr. Hoffman:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the Maryland Rules and Procedure. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Charlotte E. Radcliffe for -
Kathleen C. Bianco
Administrator

Enclosure

cc: Dale McArdle, Vice President
Hollins Ferry Senior Housing Ltd. Partnership
STV, Inc.
James Earl Kraft
People's Counsel for Baltimore County
Pat Keller
Jeffrey Long
Lawrence E. Schmidt
W. Carl Richards /PDM
Docket Clerk /PDM
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney



IN THE MATTER OF	*	BEFORE THE
THE APPLICATION OF	*	COUNTY BOARD OF APPEALS
<u>HOLLINS FERRY SENIOR HOUSING LTD.</u>	*	OF
<u>PARTNERSHIP /ASSOCIATED CATHOLIC</u>	*	BALTIMORE COUNTY
<u>CHARITIES -C.P.; BALTIMORE COUNTY,</u>	*	CASE NO. CR-96-270-A
<u>MARYLAND -LEGAL OWNER FOR A</u>	*	(Out of Cycle)
RECLASSIFICATION AND VARIANCE	*	
ON PROPERTY LOCATED ON THE NORTH	*	
SIDE HOLLINS FERRY ROAD, 510' EAST	*	
OF CHARLESTON AVENUE	*	
13TH ELECTION DISTRICT	*	
1ST COUNCILMANIC DISTRICT	*	
* * * * *		

O P I N I O N

This case comes as a Petition for Reclassification pursuant to Baltimore County Code Section 2-356(i) in which the instant Petition comes exempt from the cyclical procedures. The matter was heard in a single day of testimony and was deliberated in open hearing. Appearing for the Petitioner was Robert A. Hoffman, Esquire, Venable, Baetjer & Howard LLP; participating in the proceeding was Carole S. Demilio, Deputy People's Counsel for Baltimore County. Evidence and testimony were limited to the Petitioner's case which consisted of testimony brought by Dale McArdle, Director of Housing Services of Associated Catholic Charities; Jeffrey Long of the Baltimore County Office of Planning; P. David Fields, Director of Baltimore County Office of Community Conservation; Amy Johannsen, Southwest Sector Coordinator of the Office of Community Conservation; Theresa Lowery, a nearby resident and community activist; Debra K. Whittle, landscape architect with the firm STV, Inc.; and Mickey Cornelius, Vice President of The Traffic Group.

The instant site is located along Hollins Ferry Road, opposite and between Ryerson Circle to the west and Kessler Road to the east

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in the Lansdowne /Baltimore Highlands community of southwest Baltimore County. The site is approximately 3.25 acres (including 30 feet of Hollins Ferry Road), is owned by Baltimore County, Maryland, and is proposed to be under a 99-year lease to Associated Catholic Charities for the purpose of constructing elderly housing for individuals of moderate income. Mr. McArdle provided testimony to illustrate the effort made in identifying potential sites for such a use in the Lansdowne /Baltimore Highlands vicinity, as well as criteria used to determine eligibility of individuals in the "moderate income" category. Mr. McArdle also briefly described the development as proposed on the documented site plan provided with the Petition as being elderly apartments consisting of 64 units of different sizes, wood frame construction, with rentals in the \$390.00 to \$425.00 per month range. As part of the Petition for Reclassification and pursuant to Baltimore County Code Section 2-356(p), Petitioner brings a Petition for Variance which, in the case where it is brought in conjunction with a Petition for Reclassification, the Board has original jurisdiction.

Mr. McArdle described the exhaustive search for possible sites for such a venture as that which is proposed in the instant case, noting that the Lansdowne /Baltimore Highlands community is an essentially built-out community with virtually no sites available for such development. He described the community as one comprised of an aging population; one where long-time residents of the area have few options available to remain in their communities, moving

on to other housing options where, at their advanced age, they could better care for their property. Finally, Mr. McArdle provided a list of projects which the Associated Catholic Charities has completed and is attempting, stating that generally construction of affordable housing requires some government subsidy. The instant case is brought out-of-cycle because of the requirements of the State of Maryland in which such financing application must be made by April of this year. The State's funds available through such a program are awarded in a competitive application process which takes into account the viability of such projects, including the requirement for having zoning in place to accomplish its end.

Mr. Jeffrey Long provided comments by the Office of Planning and Community Conservation found in Petitioner's Exhibit 4. The Offices of Planning and Community Conservation jointly support the Petition for Reclassification which addresses the dearth of affordable senior housing in the Lansdowne /Baltimore Highlands community. It should be noted at this point that the Master Plan (MP) calls for the instant site to be designated single-family attached residential on the 1992 proposed land use map. Action #13 on page 37 of the Baltimore County Master Plan 1999-2000 states:

"Permit planned retirement developments and other elderly housing facilities subject to appropriate design standards to achieve compatibility with existing neighborhood. Housing for the elderly should be located in areas that have sufficient support services and should be dispersed to allow the elderly to remain in their communities."

Other items of note found in Petitioner's Exhibit 4 and in the testimony of Mr. McArdle and Ms. Johannsen indicate that seniors in the moderate income range have no other housing opportunities in the vicinity, thus forcing those seniors to move to other communities in order to access specialized senior housing. There is only one other senior housing facility in the community which is limited to very low income seniors. The testimony brought today indicates a long waiting list of seniors desirous of such facilities in their home community.

Mr. Jeffrey Long also addressed the issues surrounding the need for a variance pursuant to Section 307.1 of the Baltimore County Zoning Regulations, noting that the mere existence of the instant site in the densely development and populated community and its potential to accommodate a growing senior population makes the instant site unique, going on to state that signage as proposed is necessary to preserve the health, safety and general welfare of the community and potential residents of the proposed development for ease of access of emergency and official vehicles, as well as visitors to such a facility. Finally, Mr. Long indicated that the square footage recommended for such signage in strict conformance with the zoning regulations would therefore result in a practical difficulty and unreasonable hardship. This Board notes that such practical difficulty and unreasonable hardship includes the potential endangerment of the prospective residents without proper signage and identification for emergency vehicles.

Mr. Fields provided some enlightening testimony as to the history of not just this project but other similar efforts County-wide. In cross-examination, Mr. Fields indicated that the Office of Community Development had worked on the need for affordable senior housing in the area dating back to the mid- to late 1980s. Further, he indicated that the Lansdowne /Baltimore Highlands area is a priority area of the Office of Community Conservation, and that senior housing is one of several needs to be met in their efforts. On direct examination, Mr. Fields indicated that the County's assistance in this effort is clearly evidenced in this case by the County's long-term lease dedication of such property for the given use, as well as funds for the proposed development as a subsidy in order to accomplish what has been proposed.

Ms. Amy Johannsen prior to her current position was the hearing coordinator of the Office of Community Development. Ms. Johannsen stated for the Board that a severe need for senior housing has existed since prior to 1992, and that the population in the Lansdowne /Baltimore Highlands area is an aging population of which roughly 25 percent of the homes are occupied by residents qualifying as elderly.

Ms. Debra Whittle, landscape architect and accepted expert in landscape architecture, testified concerning issues to be addressed by this Board relative to the Petition for Reclassification; those requirements are found in Baltimore County Code Section 2-356(j)(2). Ms. Whittle alleges mistake in that known population

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trends of the area, as well as trends about which the Master Plan makes recommendations, resulted in no available sites with appropriate zoning to accommodate such projects. She also stated that present and proposed transportation, water supply, sewerage, and solid waste disposal facilities are capable of accommodating the proposed development under the requested reclassification; that the project as proposed is not only compatible with uses in the proposed zoning but in fact is desirable and consistent with the Master Plan in that the Master Plan cites the need for elderly housing. She also indicated that the project is consistent with the County plan for water and sewerage facility and the capital program in that no capital projects are planned for this community. Finally, she indicated that the project as proposed would consist of a mix of efficiencies, one-bedroom and two-bedroom units which will not exceed the 52 density units which would be allowable under the proposed zoning reclassification.

Mr. Cornelius, an expert in traffic engineering, testified concerning the level of service of signalized intersections in the vicinity, all of which are currently operating at level service A. Mr. Cornelius opined that all transportation facilities in the area are adequate to the existing and proposed zoning classifications, basing his opinion on field work, study of the service level of nearby intersections, and the number of trips expected to be generated by possible uses of existing and prospective zoning classifications. Mr. Cornelius's testimony concluded Petitioner's

2008-05-15

case.

This Board finds that the Baltimore County Council erred in applying the D.R. 5.5 zoning classification in the 1992 Comprehensive Zoning Map Process. Making this finding, the Board notes that the County Council, despite present established trends in the aging of the population of the Baltimore Highlands /Lansdowne community, and a lack of available sites for projects such as that proposed, erred in not making accommodation to fill that need. Further, the Council did not take into consideration any properties owned by the County in the 1992 Comprehensive Zoning Map Process; pursuant to People's Counsel v. A. V. Williams, 45 Md.App. 618,:

"...Error can be established by showing that at the time of the comprehensive zoning the Council failed to take into account then existing facts, or projects or trends which were reasonably foreseeable of fruition in the future, so that the Council's action was premised initially on a misapprehension.... Error or mistake may also be established by showing that events occurring subsequent to the comprehensive zoning have proven that the Council's initial premises were incorrect."

The Board is convinced that the prospective reclassification of the property is warranted in that the Board finds the testimony and evidence overwhelming in illustrating the tremendous need for affordable senior housing for all levels of income. With the population of the Lansdowne community generally aging, the Board finds it necessary for such facilities to exist. The Board finds that present and proposed transportation, water supply, sewerage, solid waste disposal, schools, recreational and other public

facilities are adequate and available for possible uses under the proposed reclassification; that the possible uses under the proposed classification are compatible with the surrounding community; that the proposed classification is consistent with the current and prospective classifications within the Master Plan, the County plan for sewerage and water supply facilities and the capital program. Finally, the Board concurs with the recommendation of the Office of Planning in identifying this property for use as it is proposed.

Baltimore County Zoning Regulations, Section 307.1, defines for the Board criteria for granting variances. Petitioner seeks a variance from Sections 1B01.1A.13 and 413.1 to permit 50.64 sq. ft. of double-faced signage to be placed near the proposed entrance on Hollins Ferry Road. The Board is persuaded from the evidence and testimony that this site is unique from others in the Lansdowne /Baltimore Highlands community in its size and availability for such use; further, the Board finds that the signage requirements in Section 413.1, if strictly complied with, would present practical difficulty and unreasonable hardship for the Petitioner in that the public safety and general welfare in matters such as the instant case are preserved by the placement of such signage to provide for quick identification by emergency and official vehicles, as well as for visitors to the site.

For all of the above reasons, the Board will grant the Petition for Reclassification and Petition for Variance, and will

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so order.

O R D E R

ACCORDINGLY, IT IS this 15th day of March, 1996 by the
County Board of Appeals of Baltimore County

ORDERED that the Petition for Reclassification from D.R. 5.5
to D.R. 16 be and is hereby GRANTED; and it is further

ORDERED that the Petition for Variance to permit a ground-
mounted double-faced sign, a total of 101.28 square feet, in lieu
of the permitted 1 square foot, be and is hereby GRANTED.

Any petition for judicial review from this decision must be
made in accordance with Rules 7-201 through 7-210 of the Maryland
Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY


Robert O. Schuetz, Chairman


Harry E. Buchheister, Jr.


S. Diane Levero

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County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

March 15, 1996

Robert A. Hoffman, Esquire
VENABLE, BAETJER & HOWARD, LLP
210 Allegheny Avenue
Towson, MD 21204

RE: Case No. CR-96-270-A
Hollins Ferry Senior Housing Ltd.
Partnership /Associated Catholic Charities

Dear Mr. Hoffman:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the Maryland Rules and Procedure. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Charlotte E. Radcliffe for
Kathleen C. Bianco
Administrative Assistant

Enclosure

cc: Dale McArdle, Vice President
Hollins Ferry Senior Housing Ltd. Partnership
STV, Inc.
James Earl Kraft
People's Counsel for Baltimore County
Pat Keller
Jeffrey Long
Lawrence E. Schmidt
W. Carl Richards /PDM
Docket Clerk /PDM
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

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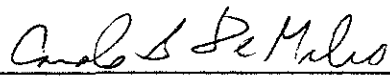
RE: PETITION FOR RECLASSIFICATION	*	BEFORE THE
N/S Hollins Ferry Road, 510' E of		
Charleston Avenue, 13th Election Dist.,	*	COUNTY BOARD OF APPEALS
1st Councilmanic		
	*	OF
Legal Owner: Baltimore County, MD		
Contract Purchaser: Hollins Ferry Road	*	BALTIMORE COUNTY
Senior Housing Limited Partnership		
(c/o Associated Catholic Charities)	*	Case No. CR-96-270-A
Petitioners	*	

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.


 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County


 CAROLE S. DEMILIO
 Deputy People's Counsel
 Room 47, Courthouse
 400 Washington Avenue
 Towson, MD 21204
 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of January, 1996, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer and Howard, 210 Allegheny Avenue, P. O. Box 5517, Towson, MD 21204, attorney for Petitioner.


 PETER MAX ZIMMERMAN

40-1-3 (11/95)

1-22-96



CR 86-270-A

Petition for Reclassification

to the Board of Appeals of Baltimore County

for the Property at North side of Hollins Ferry Road approximately 210' west of Aspen Court

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law

of Baltimore County, from an D.R. 5.5 zone to an D.R. 16 zone, for the reasons given in the attached and (2) for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for:

and (3) for the reasons given in the attached statement a variance from the following sections of the Zoning Regulations of Baltimore County:

Variance from Sections 413.1 and ~~412.5.B.a~~ to allow a ground mounted, double faced sign a total of 101.28 square feet (50.64 s.f. each side) in lieu of the permitted one square foot.

Property is to be posted and advertised as prescribed by Zoning Regulations.

1, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee: Hollins Ferry Road
Senior Housing Limited Partnership

(Type or Print Name)

BY: Dale McArdle
Signature Dale McArdle, Vice President
c/o Associated Catholic Charities

Address 320 Cathedral Street
Baltimore, Maryland 21201

City State Zip Code

Attorney for Petitioner:

Robert A. Hoffman, Esquire

(Type or Print Name)

Signature Venette Baetjer & Howard, LLP
210 Allegheny Avenue 494-6200

Address Towson, Maryland 21204 Phone No.

City State Zip Code

Legal Owner(s): Baltimore County, Maryland

(Type or Print Name)

By: Virginia Wood Barnhart
Signature Virginia Wood Barnhart, County Attorney

(Type or Print Name)

Signature Office of Law, Old Court House
400 Washington Avenue 887-4420

Address Towson, Maryland Phone No.

City State Zip Code
Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

Robert A. Hoffman, Esquire

Name 210 Allegheny Avenue
Towson, Maryland 21204 494-6200

Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

unavailable for Hearing the following dates _____

Next TWO Months _____

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____



Petition for Variance

AND
SPECIAL HEARING

to the Zoning Commissioner of Baltimore County

for the property located at North side of Hollins Ferry Road approximately
210 feet west of Aspen Court

which is presently zoned DR16

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made part of hereof, hereby petition for a Variance from Section(s)

1B01.2.C.1.a of the Baltimore County Zoning Regulations to allow a front yard setback of 44 feet in lieu of the 60 feet required and a special hearing to amend the documented site plan previously approved in Case No. CR-96-270-A.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardships or practical difficulty)

To be determined at hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee:

Hollins Ferry Road Senior Housing Limited Partnership

By: Dale R. McArdle, Vice President

(Type or Print Name)

X Dale R. McArdle
Signature Dale R. McArdle, Vice President

320 Cathedral Street

Address

Baltimore

MD

21201

City

State

Zipcode

Attorney for Petitioner:

Robert A. Hoffman

Venable, Baetjer and Howard, LLP

(Type or Print Name)

[Signature]
Signature

210 Allegheny Ave.

Address

(410) 494-6200

Phone No

Towson

MD

21204

City

State

Zipcode

Legal Owner(s):

Baltimore County, Maryland

(Type or Print Name)

By: [Signature]
Signature Virginia Wood Barnhart, County Attorney

(Type or Print Name)

Signature

Office of Law, Old Court House

400 Washington Avenue

410-887-4420

Address

Phone No.

Towson

MD

21204

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Robert A. Hoffman

Venable, Baetjer and Howard, LLP

Name

210 Allegheny Ave, Towson, MD 21204

Address

(410) 494-6200

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

unavailable for hearing the following dates _____

Next Two Months _____

ALL _____

OTHER _____

REVIEWED BY: _____

DATE _____



DROP-OFF
NO REVIEW
9/19/97 WCR

CR-96-270-A

STV Incorporated

21 Governor's Court
Baltimore, Maryland 21244-2722
(410) 944-9112 fax: (410) 298-2794

ZONING DESCRIPTION FOR
RECLASSIFICATION AND VARIANCE OF 3.288 ACRES AT
LANDSDOWNE ELDERLY APARTMENTS
ELECTION DISTRICT NO. 13, C1
BALTIMORE COUNTY, MARYLAND

BEGINNING at a point in the centerline of Hollins Ferry Road (70 feet wide), being distant the two following courses and distances from that point formed with the intersection of the centerline of Aspen Court (112.86 feet wide); South 89°57'00" West 511.05 feet, thence by a curve to the left having a radius of 2,500.00 feet, an arc length of 33.30 feet, said curve being subtended by a chord bearing South 89°34'06" West 33.30 feet to the true POINT OF BEGINNING, thence along said centerline of Hollins Ferry Road, the two following courses and distances;

1. By a curve to the right having a radius of 2,500.00 feet, an arc length of 33.30 feet, said curve being subtended by a chord bearing North 89°34'06" East 33.30 feet to a point, and.
2. North 89°57'00" East 299.76 feet to a point, thence leaving the centerline of Hollins Ferry Road and running,
3. North 10°31'00" East 402.70 feet to a point, thence,
4. South 87°02'35" West 412.44 feet to a point, thence,
5. South 00°48'47" East 375.21 feet to the point of beginning, which the herein-described is a portion of that same tract of land as recorded in Deed Liber E.H.K., Jr. 5802, Folio 190.

BEING part of that same tract of land as shown on Baltimore County Bureau of Land Acquisition Drawing Nos. R-207-1 and R-207-2, containing 143,204 square feet or 3.288 acres of land.

Actual gross area of site is 3.25 acres of land, more or less, which does not include 5 feet of the road area (gross area can only include 30 feet of right-of-way).



STV INCORPORATED
Mark A. Riddle
MD Professional Land Surveyor No. 10899



January 22, 1996

STV Incorporated

21 Governor's Court
Baltimore, Maryland 21244-2722
(410) 944-9112 fax: (410) 298-2794

CR-96-270-A
Rev 9/19/97

**ZONING DESCRIPTION FOR
VARIANCE OF
LANDSDOWNE ELDERLY APARTMENTS
ELECTION DISTRICT NO. 13, C1
BALTIMORE COUNTY, MARYLAND**

BEGINNING at a point in the centerline of Hollins Ferry Road (70 feet wide), being distant the two following courses and distances from that point formed with the intersection of the centerline of Aspen Court (112.86 feet wide); South 89°57'00" West 511.05 feet, thence by a curve to the left having a radius of 2,500.00 feet, an arc length of 33.30 feet, said curve being subtended by a chord bearing South 89°34'06" West 33.30 feet to the true POINT OF BEGINNING, thence along said centerline of Hollins Ferry Road, the two following courses and distances;

1. By a curve to the right having a radius of 2,500.00 feet, an arc length of 33.30 feet, said curve being subtended by a chord bearing North 89°34'06" East 33.30 feet to a point, and,
2. North 89°57'00" East 299.76 feet to a point, thence leaving the centerline of Hollins Ferry Road and running,
3. North 10°31'00" East 402.70 feet to a point, thence,
4. South 87°02'35" West 412.44 feet to a point, thence,
5. South 00°48'47" East 375.21 feet to the point of beginning, which the herein-described is a portion of that same tract of land as recorded in Deed Liber E.H.K., Jr. 5802, Folio 190.

BEING part of that same tract of land as shown on Baltimore County Bureau of Land Acquisition Drawing Nos. R-207-1 and R-207-2, containing 143,204 square feet or 3.288 acres of land.

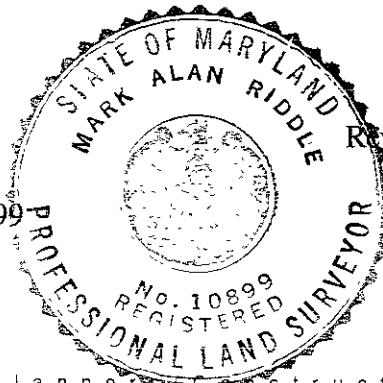
Actual gross area of site is 3.25 acres of land, more or less, which does not include 5 feet of the road area (gross area can only include 30 feet of right-of-way).

Mark A. Riddle

STV INCORPORATED

Mark A. Riddle

MD Professional Land Surveyor No. 10899



January 22, 1996

Revised: September 8, 1997

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 30, 1997

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Oct. 30, 1997.

THE JEFFERSONIAN,

A. Henrickson

LEGAL AD. - TOWSON

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: CR-96-270-SHA
MS Hollins Ferry Road 510' E
of Charleston Avenue
13th Election District

1st Councilman:

Legal Owner(s):

Baltimore County, Maryland

Contract Purchaser(s):

Hollins Ferry Senior Housing

Limited Partnership

Variances: to allow a front yard setback of 44 feet in lieu of the 60 feet required.

Special Hearing: to amend the documented site plan previously approved in Case No. CR-96-270-A.

Hearing: Tuesday, November 23, 1997 at 10:00 a.m.

In Room 4B, Old Courthouse

400 Washington Avenue

KRISTINE K. HOWANKSKI,

Chairman

County Board of Appeals

10/5/93 Oct. 30

CT85848

[illegible]

2/16, 1996

THE JEFFERSONIAN,
H. Amick
LEGAL AD. - TOWSON

LEGAL AD. - TOWSON

100

BALTIMORE CO. TY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 13452
CR-96-270-A
#284

DATE 1/25/96 ACCOUNT 001-6181

AMOUNT \$ 1,535.00 (WCR/JLL)

RECEIVED Catholic Charities
FROM:

#074 - RECLASS - \$1,250

#020 - VARIANCE - \$250

FOR: #080 - SIGN - \$35

Out-of-Cycle Reclassification

LO - Baltimore County \$1,535.00

CP - Hollins Ferry Rd Sr Hous Ltd Part

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

043313

DATE 9/19/97 ACCOUNT 001-6150

AMOUNT \$ 350.00 (WCR)

RECEIVED Venable, Baetjer & Howard
FROM:

#040 - SPECIAL HEARING - \$250.00

#110 - REVISIONS - \$100.00

FOR:

Hollins Ferry Road Senior Housing/ACC
#CR-96-270-A

DROP-OFF — NO REVIEW

DISTRIBUTION
TE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME

9/23/2007 9/22/1997 14:57:10

REG US01 CASHIER CLUH ONL DRAWER 1

5 MISCELLANEOUS CASH RECEIPT

Receipt # 022593

CR NO. 043313

350.00 CHECK: FR
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: CR 96-270-A

Petitioner/Developer: BALTO. CO, MD, ET.

96 ROBERT HOFFMAN

Date of Hearing/Closing: 11/25/97

BOARD OF APPEALS

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at N/S HOLLINS FERRY RD
510' E. CHARLESTON

The sign(s) were posted on

11/9/97
(Month, Day, Year)

Sincerely,

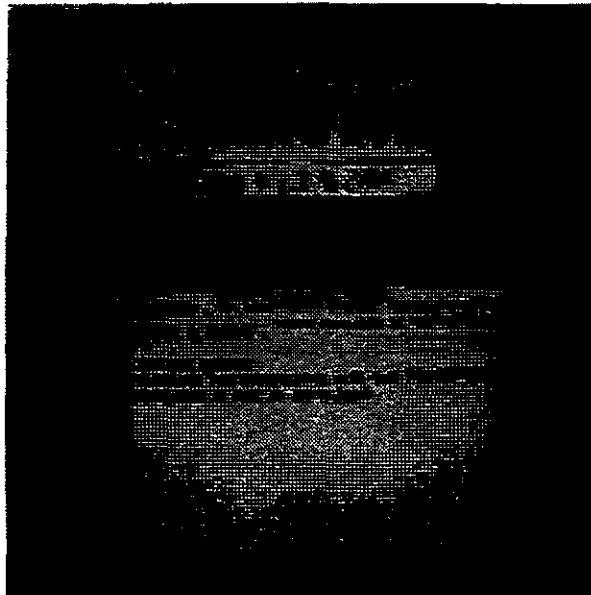
Patricia M. O'Keeffe 11/14/97
Patricia M. O'Keeffe 11/14/97
(Signature of Sign Poster and Date)

Patricia M. O'Keeffe
(Printed Name)

523 Penny Lane
(Address)

Hunt Valley, MD 21030
(City, State, Zip Code)

(410) 666-5366 Page (410) 646
(Telephone Number)



CR-96-270-A

N/S HOLLINS FERRY RD.

510' E. CHARLESTON 11/25/97

RECEIVED
COUNTY BOARD OF APPEALS
97 NOV 20 PM 4:47

TO: PUTUXENT PUBLISHING COMPANY
February 15, 1996 Issue - Jeffersonian

Please forward billing to:

Robert A. Hoffman, Esq.
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, MD 21204
494-6200

NOTICE OF HEARING

CASE NUMBER: CR-96-270-A
N/S Hollins Ferry Road, 510' E of Charleston Avenue
13th Election District - 1st Councilmanic
Legal Owner: Baltimore County, Maryland
Contract Purchaser: Hollins Ferry Senior Housing Limited Partnership

Reclassification of property's zoning from D.R.5-5 to D.R.-16.
Variance to allow a ground mounted double-faced sign a total of 101.28
square feet in lieu of the permitted 1 square foot.

HEARING: THURSDAY, MARCH 7, 1996 at 10:00 a.m. in Room 48, Old Courthouse,
400 Washington Avenue, Towson, Maryland.

ROBERT O. SCHUETZ, CHAIRMAN
COUNTY BOARD OF APPEALS

MICROFILMED



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

February 5, 1996

NOTICE OF HEARING

CASE NUMBER: CR-96-270-A

N/S Hollins Ferry Road, 510' E of Charleston Avenue

13th Election District - 1st Councilmanic

Legal Owner: Baltimore County, Maryland

Contract Purchaser: Hollins Ferry Senior Housing Limited Partnership

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400 Washington Avenue, Towson, Maryland.


ROBERT O. SCHUETZ, CHAIRMAN
COUNTY BOARD OF APPEALS

cc: Office of Law
Hollins Ferry Road Senior Housing Ltd. Part.
Robert A. Hoffman, Esq.





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

February 5, 1996

NOTICE OF HEARING

CASE NUMBER: CR-96-270-A

N/S Hollins Ferry Road, 510' E of Charleston Avenue

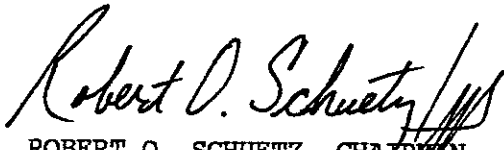
13th Election District - 1st Councilmanic

Legal Owner: Baltimore County, Maryland

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Reclassification of property's zoning from D.R.5-5 to D.R.-16.
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ROBERT O. SCHUETZ, CHAIRMAN
COUNTY BOARD OF APPEALS

cc: Office of Law
Hollins Ferry Road Senior Housing Ltd. Part.
Robert A. Hoffman, Esq.

3/07/96 -Hearing before the Board. (R.B.M.) Deliberated at conclusion of case. Petition for Reclassification and Petition for Variance GRANTED. Written Opinion /Order to be issued. Appellate period to run from date of that written Order.

FILED



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

September 23, 1997

NOTICE OF ASSIGNMENT /TO SUBMIT AMENDMENT ONLY

CASE #: CR-96-270-A **IN THE MATTER OF:** HOLLINS FERRY ROAD SENIOR HOUSING LTD. PARTNERSHIP /ASSOCIATED CATHOLIC CHARITIES -
Reclassification for Senior Housing 13th Election District; 1st Councilmanic District

FOR PURPOSE OF SUBMITTING AMENDED DOCUMENTED SITE PLAN; NO EVIDENCE OR TESTIMONY ON THE MERITS TO BE RECEIVED AT THIS HEARING.

ASSIGNED FOR: THURSDAY, OCTOBER 9, 1997 at 9:45 a.m.

NOTICE: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

For any further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

Kathleen C. Bianco
Administrator

cc: Counsel for Petitioner : Robert A. Hoffman, Esquire
Petitioner : R. Dale McArdle
STV, Inc.

People's Counsel for Baltimore Co.
James Earl Kraft /Bd of Education
Jeffrey Long /Planning
Pat Keller, Director /Planning
Lawrence E. Schmidt
W. Carl Richards
Docket Clerk /PDM
Arnold Jablon, Director /PDM
Virginia W. Barnhart, Co Atty





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 29, 1996

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, Maryland 21204

RE: Item No.: 281
Case No.: CR-96-270-A
Petitioner: Baltimore County

Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 25, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED



BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director . DATE: Feb. 5, 1996
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for February 5, 1996
Item 284 (Case No. CR-96-270-A)

The Development Plans Review Division has reviewed the subject zoning items. The existing 8-inch public sewer should be extended in the Hollins Ferry Road right-of-way beyond the edge of the paving to the proposed site.

RWB:sw



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoﬀ
Administrator

2-5-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 284
CASE NO. CR-96-270-A


Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,


for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 01/31/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: BALTIMORE COUNTY, MARYLAND

LOCATION: N/S HOLLINS FERRY RD., 510' E OF CHARLSTON AVE.

Item No.: 284

Zoning Agenda: VARIANCE

Gentlemen:

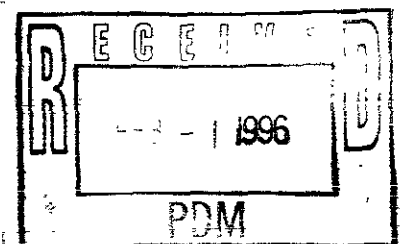
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
LEGISLATIVE SESSION 1996, LEGISLATIVE DAY NO. 2

RESOLUTION NO. 5-96

MR. S. G. SAMUEL MOXLEY, COUNCILMAN

BY THE COUNTY COUNCIL, JANUARY 16, 1996

A RESOLUTION of the Baltimore County Council to approve the Planning Board's certification that the zoning reclassification petition filed by Associated Catholic Charities, Inc., Contract Purchaser, for the property located on the north side of Hollins Ferry Road west of Aspen Court and situated in the First Councilmanic District, should be exempted from the regular cyclical procedure of Section 2-356(c) through (h), inclusive, of the Baltimore County Code, 1988, as amended.

WHEREAS, the Planning Board, by Resolution dated January 4, 1996, has certified that early action on the Petition for Zoning Reclassification filed by Associated Catholic Charities, Inc., Contract Purchaser, requesting a reclassification of the above described property, is manifestly required in the public interest or because of emergency; and

WHEREAS, the County Council of Baltimore County, in accordance with the provisions of Section 2-356(l), may approve said certification and exempt the Petition for Zoning Reclassification from the regular procedures of Section 2-356.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the certification by the Planning Board that early action on the zoning reclassification petition filed by Associated Catholic Charities, Inc., Contract Purchaser, be and the same is hereby approved; and

BE IT FURTHER RESOLVED, that the Board of Appeals shall schedule a public hearing on said Petition in accordance with Section 2-356(l) of the Baltimore County Code.

MICROFILMED

KATHI
-BOA-

ZONING ADVISORY COMMITTEE AGENDA
ROOM 301, COUNTY OFFICE BUILDING
DISTRIBUTION MEETING OF FEBRUARY 5, 1996

\$ Distributed at Meeting
* Agenda Only
+ Agenda and Petition
& Agenda and Plat
Agenda, Petition and Plat

Distribution:

- * Zoning Commissioner's Office (Lawrence Schmidt); MS #2112
- # PDM, Zoning Review H.O. Hearing File (Gwendolyn Stephens)
- # PDM, Zoning Review Work File (Joyce Watson)
- \$* PDM, Project Management (David Flowers)
- \$* PDM, Project Management (Kurt Kugelberg)
- * PDM, Code Enforcement (Helene Kehring)
- \$* PDM, Zoning Review (John Alexander)
- \$+ PDM, Development Plans Review (Dennis A. Kennedy)
- \$* Planning Office Director (Pat Keller)
- # Planning Office (Jeffrey Long)
- * Recreation and Parks (Ronald Schaeffer); MS #52
- # DEPRM (Larry Pilson) - 2 plats
- * DEPRM, Air Quality Management (Dave Filbert); MS #3404
- & State Highway Administration, Access Permits Division (David N. Ramsey)
- & PDM, Building Plans Review (Lt. Robert Sauerwald); MS #1102F
- * PDM, Building Plans Review (Dick Seim)
- * Economic Development Commission, Business Develop. (Susan Brennan); MS #2M07
- * Highways (Richard Cox); MS #1003
- * Community Development (Amy Johanson); MS #1102M
- + People's Counsel (Peter Zimmerman); MS #2010
- # IF CRITICAL AREA, Maryland Office of Planning (Bill Carroll)
- # IF ELDERLY HOUSING, Community Development; MS #1102M

The attached information is being forwarded to you for comment. Your comments should reflect any conflicts with your office or department's code, standards or regulations. Development representatives that attend the meeting should be prepared to submit their agency's response as either "no comment", "written comment" or "more review time required" before the hearing date. If no written response is received by the committee before this hearing date, it is assumed that your agency has "no comment". All written comments must reference the ZAC item number. All comments received will be compiled and included in the zoning/development file for review and consideration by the hearing officer during the course of the upcoming zoning/development hearing.

If your agency or section is not represented at the meeting, you should return your written comments to the Department of Permits and Development Management (PDM), Room 111, County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204 (Mail Stop #1105), Attention: Joyce Watson. If you have any questions regarding these zoning petitions, please contact either Sophia Jennings or Carl Richards at 887-3391 (FAX - 887-5708).

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: January 29, 1996

TO: Baltimore County Zoning Plans Advisory Committee

FROM: W. Carl Richards, Jr.
Zoning Supervisor (887-3391)

SUBJECT: Out-of-Cycle Documented Zoning Reclassification Petition
Case Number: CR-96-270-A
Legal Owner: Baltimore County, Maryland
Contract Purchaser: Hollins Ferry Road Senior Housing Limited
Partnership (c/o Associated Catholic Charities)
Description: N/S Hollins Ferry Road, 510' E of Charleston Avenue
13th Election District; 1st Councilmanic District

THE ABOVE REFERENCED PETITION HAS BEEN EXEMPTED FROM THE REGULAR CYCLICAL BI-YEARLY ZONING RECLASSIFICATION PROCEDURE BY CERTIFICATION OF THE BALTIMORE COUNTY PLANNING BOARD ON JANUARY 4, 1996 AND BY RESOLUTION #5-96 OF THE BALTIMORE COUNTY COUNCIL DATED JANUARY 16, 1996 (ATTACHED). PURSUANT TO SECTION 2-356(I) OF THE BALTIMORE COUNTY CODE, THE COUNTY BOARD OF APPEALS HAS SET A VERY EARLY HEARING DATE OF MARCH 7, 1996. YOU ARE REQUESTED TO EXPEDITE YOUR REVIEW AND FORWARD YOUR COMMENTS TO THIS OFFICE UNDER THE ABOVE REFERENCE PRIOR TO THE HEARING DATE. IF YOU SHOULD NEED ADDITIONAL MATERIALS TO COMPLETE YOUR COMMENTS, YOU SHOULD CONTACT THE ENGINEER, ATTORNEY, OR MYSELF IMMEDIATELY.

WCR:scj
Revised 11/1/95

RECEIVED

ZONING ADVISORY COMMITTEE
MEETING OF FEBRUARY 5, 1996

Case Number: CR-96-270-A
Item Number: 284
Legal Owner: Baltimore County, Maryland
Contract Purchaser: Hollins Ferry Road Senior Housing Limited
Partnership (c/o Associated Catholic Charities)
Location: N/S Hollins Ferry Road, 510' E of Charleston
Avenue
Existing Zoning: D.R.-5.5
Proposed Zoning: D.R.-16. *Variance* to allow a ground mounted,
double-faced sign a total of 101.28 square feet in
lieu of the permitted 1 square foot.
Area: 3.288 Acres
District: 13th Election District
1st Councilmanic District

MICROFILMED

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

MINUTES OF DELIBERATION

IN THE MATTER OF: Hollins Ferry Senior Housing Ltd. Partnership
(c/o Associated Catholic Charities) /Contract
Purchaser; Baltimore County, MD /Legal Owner
Case No. CR-96-270-A

DATE : March 7, 1996 @ 1:00 p.m.

BOARD /PANEL : Robert O. Schuetz, Chairman (ROS)
Harry E. Buchheister, Jr. (HEB)
S. Diane Levero (SDL)

SECRETARY : Kathleen C. Bianco
Administrative Assistant

Those present included Robert A. Hoffman, Esquire, on behalf of Petitioner, and Carole S. Demilio, Deputy People's Counsel for Baltimore County.

PURPOSE --to deliberate issues in Case No. CR-96-270-A, petition for reclassification; petition for variance. Testimony and evidence received March 7, 1996.

ROS: Good afternoon, ladies and gentlemen. We are here on Case No. CR-96-270-A. The purpose is to deliberate the matter before the Board and to indicate the Board's compliance with the open meetings law. Before the Board is an out of cycle reclassification for a site on Hollins Ferry Road, and the petition is to reclassify from existing D.R. 5.5 to D.R. 16, as evidenced by Petitioner's Exhibit 2, the Documented Site Plan.

The site is surrounded immediately to the north, east and south with D.R. 10.5 zoned properties, and immediately to the west by unimproved D.R. 5.5 piece of property. Other areas to the north are D.R. 16, rather substantial in area, and further east and south are the Baltimore Washington Parkway and Harbor Tunnel Thruway, respectively.

We've had a lot of evidence brought and testimony provided by various witnesses concerning the obvious need for elderly housing in the area, and I think Petitioner's counsel aptly brought to the Board's attention the case of People's Counsel v. A.V. Williams, 45 Md. App. 617 (1980), discussing the burden of overcoming the presumption of the County Council as part of the last comprehensive zoning map process. I find that the Council erred in its zoning classification, and I believe that it failed to take into consideration the lack of available properties in the Lansdowne /Baltimore Highlands area to accommodate the need for senior housing, and, in fact,

MICROFILMED

Minutes of Deliberation /Hollins Ferry Senior Housing Ltd.
Partnership, CP; Baltimore County, Owner /CR-96-270-A

I would go so far as to state that this site is known to be one of only one or two in the entire area which would be suitable for such a project, and therefore I would consider it to be a gross oversight on the part of the Council, and therefore would find it to be an error. We are only half-way home at this point. The issue now is whether the proposed classification is warranted.

The Board has a litany of issues to be addressed as part of the reclassification; the Board must address each of the issues, pursuant to Section 2-356(j)(2), and without going through each of them, I would concur frankly with each of the findings brought by the competent testimony of Ms. Whittle, as well as Mr. Cornelius. I will go on to state for the purpose of this deliberation that I thought that Ms. Whittle was -- should know that this member understands that the profession of landscape architecture and architecture in general does deal with research in sociology and psychology.

For the above reasons, I find that the Council did indeed err in the D.R. 5.5 zoning classification in not noting the then obvious need for projects such as this, and sites available to accommodate such projects, as well as the obvious trend of the aging of the population in the Lansdowne /Baltimore Highlands area, and the two combined made for a very difficult situation for projects like what is proposed by the Associated Catholic Charities to proceed. I also find that for all the information brought by Ms. Whittle and Mr. Cornelius that the proposed reclassification is warranted.

The sign issue, of course, we have to get by the tests under BCZR 307.1. For all of the reasons that I stated earlier, we have a unique property relative to the rest of the community. The site itself lends itself to a great degree of uniqueness, and when one considers the documented site plan and the proposed use coupled with the tremendous need, I would find that the unique test has been met. The second test, being strict compliance with the BCZR would result in practical difficulty or unreasonable hardship, and so, I would find that strict compliance with sign would in no way serve the population of the Associated Catholic Charities for this particular project, and that what is proposed, frankly, is a necessary ingredient for such a project, and that the general health, safety and welfare of the occupants, as well as the surrounding community, is preserved and looked after when such a proposal is brought; emergency vehicles, fire, safety, and so forth are brought into consideration. I would also grant the variance.

Minutes of Deliberation /Hollins Ferry Senior Housing Ltd.
Partnership, CP; Baltimore County, Owner /CR-96-270-A

SDL: I think the Petitioner has presented substantial uncontroverted evidence to satisfy Section 2-356(j). The last classification of the property was in error in that the County Council failed to recognize population trends -- aging population and need for housing for moderate income. Mr. McArdle was in search for suitable property; undeveloped land is scarce; only feasible property. There was prompt approval of reclassification out of cycle to compete for state funding. I would grant the petition for reclassification.

Regarding the Petition for Variance, Section 307.1 requirements have been satisfied that a larger sign is needed due to uniqueness of proposed structure requiring identification.

HEB: I think that Mr. McArdle's testimony was very interesting and enlightening, and Associated Catholic Charities very thoroughly studies and prepares these most worthwhile projects to meet needs for affordable housing in the metropolitan area. It is a fact that there is competition from other organizations for public funding -- this fact that there is this competition for funding from State and Federal government by unexpected deadlines, as in this case, April, is understandable for this out of cycle reclassification.

The interoffice correspondence from Mr. Keller stressing worthiness of this project and the testimony of Mr. Fields and Ms. Johansen was very persuasive that the County is endeavoring to anticipate problems and needs of older communities; willingness of the County to lease the site for the project and at the same time purchase nearby land for a park to take the place of the park land that is being removed - the site actually has been a public park -- shows serious intention of the County in trying to work with the communities. Regarding the 1992 comprehensive maps and failure of the County Council to rezone their publicly-owned property, I call this error or oversight, reasonably understandable, even though from Mr. Fields' testimony, concerns for elderly affordable housing and stability of neighborhoods has been ongoing priority.

As People's Counsel pointed out, the County has to treat affordable housing on a case by case situation as they arise, and the County Council could not be changing a potential property's zoning years in advance, although such a site may be seen as a future location for such a project as we have with the Catholic Charities.


Mr. Long's testimony as to uniqueness of documented plan

Minutes of Deliberation /Hollins Ferry Senior Housing Ltd.
Partnership, CP; Baltimore County, Owner /CR-96-270-A

warranted a 100 sq. ft. double faced sign to readily identify the housing for the elderly and this is persuasive in the granting of the requested variance for the sign. I think Ms. Lowery, as you heard her say, how they have been looking for years for something for their community such as this project will provide, and they are most anxious for this to commence, and I believe that the reclassification from D.R. 5.5 to D.R. 16 should be granted.

ROS: We are unanimous. The Board will issue a written Opinion and Order subsequent to these proceedings. Any petition for judicial review will be from the date of that written Order.

Respectfully submitted,


Kathleen C. Bianco
Administrative Assistant

Environmental Impact Statement

NOTE:

The following information refers to the portion of the property which is being considered for rezoning. This portion of property will be referred to as "site." The term "parcel" shall be used when reference is made to the entire property which will include the area East of the "site" as shown on the Baltimore County Tax Map.

EXISTING CONDITIONS

- The "site" is currently vacant and consists of 3.017 Acres.
- Approximately 53% (1.6 Acres) of the "site" is wooded.
- The soils on the "site" consist of "Sg" (Sand and gravel pits) according to the Baltimore County Soil Survey.
- Slopes on the site range from 3 - 40%. The steep slopes are limited to the Eastern edge of the "site" and the wooded area located on the North side of the "site." The site slopes to the SW corner.
- The site is not located in a floodplain
- The site is not located in the Chesapeake Bay Critical Area.
- There are no existing structures located on the "site".
- An existing townhouse development adjoins the "site" on the North and East sides. Hollins Ferry Road adjoins the site on the South side. The remainder of the "parcel" which is currently vacant adjoins the "site" on the West side.
- Water and sanitary connections needed to service the proposed development shall be made at the existing utility mains located in Hollins Ferry Road.

MICROFILMED

1. *Detailed Description of the proposed action including information and technical data adequate to permit a careful assessment of the environmental impact.*

- The proposed use for the property shall be elderly apartment housing.
- Approximately 51 parking spaces are proposed for the development.
- Stormwater shall be managed in a proposed stormwater management facility to accommodate the proposed development. This stormwater management facility shall meet Baltimore County Stormwater Design Criteria for both quantity and quality management. The actual location and type of facility proposed will be determined at a later date.
- Proposed landscaping shall be installed according to the requirements of the Baltimore County Landscape Manual.
- Forest Conservation shall be addressed for the proposed development to meet Baltimore County Requirements.
- Grading proposed for the development shall minimize land disturbance wherever possible.

2. *Discussion of the probable impact on the environment, including any impact on ecological systems and any direct or indirect consequence that may result from the action.*

The impacts on the environment which would result from the proposed development include the removal of a portion of the wooded area on the "site." The proposed development will maintain the existing wooded area along the North and East property lines which will provide a vegetative buffer between the development and the existing uses adjoining the "site." This wooded area is contiguous to the wooded area which presently exists on the remainder of the "parcel." located West of the "site." The proposed stormwater management facility will manage any increase in impervious area proposed as part of this development.

3. *Any adverse environmental effects that cannot be avoided.*

The removal of wooded area on the "site" is required to accommodate the proposed development. As shown on the site plan, the amount of open space available for development is limited on the "site." Wooded area will be retained wherever possible and forest conservation regulations will be followed.

10/24/2016

4. *Alternatives to the proposed action that might avoid some or all of the adverse environmental effects, including analysis of cost and environmental impact of these alternatives*


The alternative of "no development" would eliminate any adverse environmental effects to the site. However, this type of use is needed in this portion of Baltimore County. The proposed use would be compatible to the existing townhouse uses which already exist in the adjoining areas as well as its location near an existing elementary school which would provide potential opportunities for the youth and elderly residents to interact in community activities.

5. *An assessment of the cumulative, long-term effects of the proposed action including its relationship to short-term use of the environment versus the environment's long-term productivity.*

The proposed stormwater management facility proposed for the development would provide an additional water source for any wildlife in the surrounding area. Proposed tree plantings which will be installed as part of the development will also provide a habitat for any wildlife in the area. These long-term benefits will outweigh the short-term disturbance of land due to the removal of a portion of the wooded area.

6. *Any irreversible or irretrievable commitment of resources that might result from the action or which would curtail beneficial use of the environment.*

There are no known irreversible or irretrievable commitment of resources that would result from the proposed development. Public water and sanitary services are available to the site which would eliminate the need for any well or septic areas which would contaminate the groundwater.


STV INCORPORATED
Patrick C. Richardson, Jr.
MD Professional Engineer No. 16597



January 22, 1996

**BALTIMORE COUNTY COUNCIL AGENDA
LEGISLATIVE SESSION 1996, LEGISLATIVE DAY NO. 2
JANUARY 16, 1996 7:30 P.M.**

**A. MOMENT OF SILENT MEDITATION
PLEDGE OF ALLEGIANCE TO THE FLAG**

B. APPROVAL OF JOURNAL - Meeting of January 2, 1996

C. ENROLLMENT OF BILLS - 211-95, 212-95, 213-95 & 214-95

D. INTRODUCTION OF BILLS

BILL 15-96 - Mr. Kamenetz(By Req.) - CEB - Court Advocate Grant Program

BILL 16-96 - Mr. Kamenetz(By Req.) - CEB - Rosewood Rental Allowance Program

BILL 17-96 - Mr. Kamenetz(By Req.) - CEB - Rental Allowance Program

BILL 18-96 - Mr. Kamenetz(By Req.) - CEB - Job Training Partnership Act Fund

BILL 19-96 - Mr. Kamenetz(By Req.) - CEB - JTPA - Title III EDWAA

BILL 20-96 - Mr. Kamenetz(By Req.) - CEB - JTPA - State Allowance Program

BILL 21-96 - Mr. DePazzo - Zoning Regs. - Commercial Recreational Facilities *monitors*

BILL 22-96 - Mr. Kamenetz(By Req.) - CEB - Bootcamp Planning Initiative

E. CALL OF BILLS FOR FINAL READING AND VOTE

BILL 216-95 - All Councilmembers - Basic Services Maps

BILL 217-95 - Mr. Gardina(By Req.) - CEB - Awards/Donations

F. APPROVAL OF FISCAL MATTERS

1. Agreement - Stottler Stagg & Associates, Inc. - Southwest Area Park

2. Contract - McCrone, Inc. - Geodetic Control, etc. - Geographic Information System

3. Contract - Daft-McCune-Walker, Inc. - Towson Streetscape

4. BAT 96-4C - Public Works - Central Building Maintenance Facility

5. Contract of Sale - McCormick & Company - Hunt Valley Office Building Project

G. MISCELLANEOUS BUSINESS

1. Correspondence

W/DRAWN 2. Res. 83-95 - Mr. Gardina(By Req.) - 911 System Additional Charge

3. Res. 4-96 - Mr. Kamenetz(By Req.) - Accept Gift from State Dept. of Defense

4. Res. 5-96 - Mr. Moxley - Out of Cycle Zoning Reclassification - Associated Catholic Charities, Inc. *2*

*possible hearing
date - 3/07/96*

Hoffman for Petitioner

microfilm

05 JAN 11 11:14:32

BALTIMORE COUNTY COUNCIL AGENDA
LEGISLATIVE SESSION 1996, LEGISLATIVE DAY NO. 2
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BILL 23-96 - Mr. Kamenetz(By Req.) - CEB - Storm Emergencies

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MICROFILMED

96 JAN 17 PM 2:30

BALTIMORE COUNTY BOARD OF APPEALS
GUIDE FOR PREPARATION OF RECLASSIFICATION PETITIONS

OK
JLL

Each petition request should include:

1. ✓ Three completed typewritten petition forms, indicating the existing and requested zoning; the special exception use, if applicable; and if applicable, the section number of the Baltimore County Zoning Regulations from which a variance is requested, as well as the nature and extent of the variance requested. All forms must be signed (original signature and title, if applicable; xerox copies are unacceptable) by the petitioner or his legally authorized representative. For persons signing in place of the legal owner, an authorization letter or copy of the power of attorney is required at the time of petition filing.
 2. ✓ Four copies of the property description (saving and excepting all adjacent areas of public right-of-ways) **FOR THE AREA OF RECLASSIFICATION ONLY**, prepared and sealed by a surveyor or civil engineer. (See #4 of the reclassification checklist for sites where additional hearings are requested.)
 3. ✓ Four copies of a brief or an explanation of the reasons why, in the petitioner's opinion, the reclassification sought should be made, set forth in sufficient detail to properly advise the county authorities required to review the petition of the petitioner's case. Any allegation of change in conditions as justification for the action sought shall be supported in the petition by precise description of such change, and any allegation of error shall be so supported in similar detail and as further required by Section 2-356.(j) of the Baltimore County Code. If the petition filed is not a documented conditional use request, then this brief cannot document a proposed use without filing a complete documented petition.
 4. ✓ Four xerox copies each of that part of the appropriate official 1" = 200' and 1" = 1,000 scale zoning maps, with the outline of the property to be reclassified indicated thereon.
- OK The appropriate filing fee and posting fee should accompany the petition request. However, the advertising should be paid as soon after billing as possible. Opinions may not be issued until all such costs are paid.
6. ✓ Twelve copies of a site plan (14 copies if in the critical area), the boundaries and location of which have been certified (sealed) by a registered surveyor or professional (civil) engineer. Said site plan shall include all applicable items on the attached checklist for reclassification petitions.

A-075-37000

BALTIMORE COUNTY BOARD OF APPEALS
GUIDE FOR PREPARATION OF RECLASSIFICATION PETITIONS
PAGE 2

7. DOCUMENTED -- If said petition includes a "documentation" which identifies a proposed use and development of the property, that documentation must include the following information:

- ✓ a. Three copies of an environmental impact statement (5 copies if in critical area), as defined in Section 101 of the Baltimore County Zoning Regulations, that concerns the proposed use of the property under petition and that has been completely prepared and certified (sealed) by a professional engineer or planner of appropriate qualifications.
- b. All information (items 1-22) on the following checklist.
- c. If a precise building envelope is used in lieu of the exact positioning of the building(s) on the site plan, the proposed buildings' floor plan and elevation, including character and exterior materials, must be shown elsewhere on the site plan or on attached plans together with other documentation required in the aforementioned checklist. Said envelope may be larger than the actual proposed building, but must be precise enough in size and location to allow for a complete functional site layout, including but not limited to: entrances, driveways, parking and loading facilities, paved areas, proposed landscaping, screening, and major vegetation to be retained, etc. If an envelope is used, the envelope must meet all bulk and parking requirements or variances must be included in the petition.
- d. No such petition may be accepted for filing unless it complies with these rules of practice and procedure, and all other pertinent zoning laws and regulations. These include the informational requirements of the current zoning public hearing checklists, which are required for determination of zoning compliance.

8. OPEN -- The petitioner may choose to submit "open" plans that do not show any proposed use of the property under petition, regardless of any requirement in these rules to the contrary. If an intended use is not indicated, the site plans must indicate only the first eight items on the following checklist. (Also, no existing buildings or uses can be shown on this "open" plan.)

BALTIMORE COUNTY BOARD OF APPEALS
GUIDE FOR PREPARATION OF RECLASSIFICATION PETITIONS

OK
JLL

Each petition request should include:

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 4. ✓ Four xerox copies each of that part of the appropriate official 1" = 200' and 1" = 1,000 scale zoning maps, with the outline of the property to be reclassified indicated thereon.
- OK The appropriate filing fee and posting fee should accompany the petition request. However, the advertising should be paid as soon after billing as possible. Opinions may not be issued until all such costs are paid.
6. ✓ Twelve copies of a site plan (14 copies if in the critical area), the boundaries and location of which have been certified (sealed) by a registered surveyor or professional (civil) engineer. Said site plan shall include all applicable items on the attached checklist for reclassification petitions.

CHECKLIST FOR INFORMATION TO BE SHOWN ON SITE PLANS
FOR RECLASSIFICATION PETITIONS

OK JLL *Open Plan - No Use Indicated

- *1. North arrow (indicating the direction of north). Scale of drawing (engineer's scale).
- *2. Title plan: "Undocumented" or "Documented" (whichever applies) "Plan To Accompany Reclassification Petition". Include name, address, telephone number, and signed certification seal of engineer or surveyor preparing the plan.
- *3. Election district, councilmanic district, and whether or not the property is located in the Chesapeake Bay Critical Area (CBCA). Note on the plan that the site is or is not in a 100 year floodplain. Note on the plan if the site is within a moratorium area or in an area where failure of the basic services maps currently exists per Section 4A02 (BCZR). Identify the nature of the moratorium area or basic service failure. Any zoning variance requests from a failed basic services map is a "special variance" requiring additional fees and information. If this is to be requested, contact Zoning Administration (887-3391) for additional information before filing the petition.
- *4. Dimensions of property TO BE RECLASSIFIED (including bearings). Parcel under petition should be in bold outline. If separate areas within the area of reclassification require individual zoning hearings, these must be shown with all separate bearings and distances and individually described as required on guide sheet (#2).
- *5. Relation of tract in question to additional property owned and ownership of all adjacent properties, including the adjacent public roads.
- *6. Area of property to be reclassified (acres or square feet). If separate areas in reclassification require zoning hearings, these areas must be shown also.
- *7. Distance from property line (corner) to nearest intersecting street or county road and a scale vicinity sketch, clearly outlining the area of the petition request.
- *8. Existing and proposed zoning of property under petition and adjoining properties.
9. Use, locations, coverage, floor areas, heights (including engineered scaled and dimensioned elevation drawings), dimensions, character and exterior materials of all proposed and existing structures to be retained. Also, all existing structures to be removed must be indicated.
10. Location, use and orientation of all principal building(s) within a distance of 200 feet from each joint side property line. Distance from said buildings to centerline of street must be shown in order to determine street setback line of proposed building(s) on subject site.
11. Hours of operation, maximum number of employees, and maximum levels of emanations (including sound and other vibrations, dust, odors, gases, and light and heat). In cases where method of operation is not obvious, an explanation of same must be provided (i.e. proposed nursery school should include days and hours of operation, maximum number of teachers and students, method of transportation, etc.).
12. Existing and proposed public and quasi-public facilities on and adjacent to the site, including storm drain systems, water lines, sewerage, streets and drives, and railroad sidings. In the event public water and/or sewer do not exist, location of the private system must be indicated.

CHECKLIST FOR RECLASSIFICATION PETITIONS

PAGE 2

13. Existing ponds, streams, natural drainage courses and other bodies of water, watercourses, 100-year flood plains, major vegetation, unusual natural formation, and proposed changes with respect to any of these must be indicated.
14. Dimensions of existing and proposed right-of-ways and types of paving of any street adjacent to site.
15. Location and width of proposed ingress and egress, and all directional arrows indicating interior circulation of traffic.
16. Parking and loading facilities in accordance with Section 409 (BCZR).
17. Screening and landscaping must be indicated as required in the Baltimore County Landscape Manual and the BCZR.
18. Existing topography and proposed major changes in grade.
19. Location, dimension height, square footage, single/double-face, illumination, and content of all signs visible outdoors. Must comply with BCZR or variance must be included in the reclassification petition.
20. Buildings must meet building code, as well as fire code, requirements with regard to type of construction, windows, etc.
21. Location of all existing and proposed fire hydrants.
22. A sealed location plan, inserted on the site plan, must accurately reflect the outline of the parcel(s) for zoning action.
23. All site plans must be folded to an approximate size of 8-1/2 inches by 11 inches, with clear distinct lettering.

In order to alleviate any future delays, prior to preparing the required plan, the petitioner or his engineer should contact ZADM, Development Control (Zoning Office) and the following agencies and/or State agency, if located on a state road, for pertinent information that may be required:

Department of Environmental Protection	887-3980
and Resource Management (DEPRM)	
Public Works, Development Plan	
Review and Traffic	887-3751
Zoning Administration and Development	887-3391
Management (ZADM), Development Control	
Office of Planning and Zoning	
(Planning Only)	887-3211
State Highway Administration	333-1350
Recreation and Parks	887-3823
Assessments (Real Estate Division,	
Office of Law)	887-3284
Fire Department	887-3998
Solid Waste Management	887-3185
Real Estate Division, Office of Law	887-3255
House Numbers and Street Names	887-3710

MICROFILMED

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FOR RECLASSIFICATION PETITIONS

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B A L T I M O R E C O U N T Y , M A R Y L A N D

Inter-Office Correspondence

TO: W. Carl Richards, PDM

DATE: January 17, 1996

FROM: Kathleen C. Bianco
County Board of Appeals

SUBJECT: Out-of-Cycle Exemption-
Request for Reclassification /North side Hollins Ferry
Road, West of Aspen Court filed by Associated Catholic
Charities, Inc., Contract Purchaser
First Councilmanic District
Approval by County Council January 16, 1996
Date for Hearing before the Board - 3/07/96 @ 10:00 a.m.

Carl:

Pursuant to Section 2-356(i), the Board has scheduled the subject out-of-cycle reclassification petition for hearing on Thursday, March 7, 1996 at 10:00 a.m. in Room 49, Old Courthouse.

This petition for reclassification was approved for hearing out of cycle by the County Council at its January 16, 1996 meeting (a copy of Resolution 5-96 is attached for your information and file).

I have copied Gwen on this memorandum so that the necessary advertising and posting can be accomplished by your office and notices sent to the appropriate parties reflecting the hearing date of March 7, 1996.

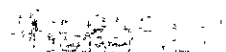
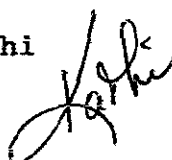
Should you have any questions, please call me at extension 3180.

cc: Gwen Stephens
Jeffrey Long /Planning
Office of People's Counsel
Arnold Jablon, Director /PDM
The Honorable S.G. Samuel Moxley
Baltimore County Council

Gwen: Please call me with the case number for this out-of-cycle so I can complete my docket entry. Also, please send me a copy of the notice when it is sent to the parties regarding this hearing date.

Thanks

kathi





Baltimore County
Office of Planning

401 Bosley Avenue
Towson, Maryland 21204
(410) 887-3211
Fax: (410) 887-5862

TO: Baltimore County Planning Board DATE: January 2, 1996

FROM: Arnold F. "Pat" Keller, III
Director
Office of Planning

SUBJECT: REQUEST FOR CERTIFICATION - NORTH SIDE OF HOLLINS FERRY
ROAD, 148 FEET WEST OF ASPEN COURT

The attached letter from Robert A. Hoffman, Esquire, on behalf of Associated Catholic Charities, Inc., Contract Purchaser, requests certification by the Planning Board for out of cycle action on a zoning petition for reclassification of the subject property from DR 5.5 to DR 16.

Section 2-356(i) of the Baltimore County Code authorizes the Planning Board to certify to the County Council that expedited scheduling of a reclassification hearing by the Board of Appeals "is manifestly required in the public interest or because of emergency." Neither the certification by the Planning Board nor a concurrence by the County Council would constitute an opinion on the merits of the petition; the effect is simply to take the petition out of the normal cycle zoning schedule for an earlier hearing.

The subject request for certification has been reviewed by planning staff and without taking a position on the merits of the case, we recommend to the Board that certification for early action upon this zoning classification petition is required.

A handwritten signature in dark ink, appearing to read "Pat Keller", is written over a horizontal line.

Arnold F. "Pat" Keller, III

AFK:JL:lw
JLMIDB.KRV/PZONE/TXTJWL

Attachment





Baltimore County
Planning Board

1/16/96 agenda

3/07/96 - possible hearing

401 Bosley Avenue
Towson, Maryland 21204
(410) 887-3495
Fax: (410) 887-5862

January 10, 1996

Hon. Kevin Kamenetz
Chairman, Baltimore County Council
County Courthouse
Towson, Maryland 21204

Re: Certification on Reclassification
Petition - Hollins Ferry Road

Dear Councilman Kamenetz:

At a regularly scheduled meeting on January 4, 1996, the Baltimore County Planning Board voted, in accordance with Section 2-356(i) of the County Code, to certify to the County Council that early action upon the petition for zoning reclassification of the property (L.5802/f.190) on the north side of Hollins Ferry Road west of Aspen Court is manifestly required.

Enclosed is the report on this matter by the Office of Planning, as accepted by the Planning Board. The Planning staff will be pleased to assist the Council in the consideration of this matter.

Sincerely,

A handwritten signature in cursive script, reading "Pat Keller".

Arnold F. "Pat" Keller, III
Secretary

AFK/TD/rh

Enclosure

cc: Members, Baltimore County Council
Merreen E. Kelly, Administrative Officer
Thomas Peddicord, Legislative Counsel/Secretary
Brian Rowe, County Auditor
Virginia W. Barnhart, County Attorney
Patrick Roddy, Assistant County Attorney
Robert O. Schuetz, Chairman, Board of Appeals
P. David Fields, Director, Community Conservation
Arnold Jablon, Director, Permits & Development Management
Peter Max Zimmerman, People's Counsel
Robert A. Hoffman, Petitioner's attorney

HOLLINS.FER/PZONE/TXTRLH

96 JAN 12 10:11:45

...FILMED



96 JAN 17 11 23 AM

County Council of Baltimore County

Court House, Towson, Maryland 21204

(410) 887-3196

Fax (410) 887-5791

Stephen G. Samuel Moxley
FIRST DISTRICT

Kevin Kamenetz
SECOND DISTRICT

T. Bryan McIntire
THIRD DISTRICT

Douglas B. Riley
FOURTH DISTRICT

Vincent J. Gardina
FIFTH DISTRICT

Joseph Bartenfelder
SIXTH DISTRICT

Louis L. DePazzo
SEVENTH DISTRICT

Thomas J. Peddicord, Jr.
LEGISLATIVE COUNSEL
SECRETARY

January 17, 1996

Robert O. Schuetz, Chairman
Board of Appeals for Baltimore County
400 Washington Avenue
Room 49
Towson, Maryland 21204

Dear Mr. Schuetz:

Attached please find a copy of Resolution 5-96 approving the Planning Board's certification that the zoning reclassification petition filed by Associated Catholic Charities, Inc., Contract Purchaser, for the property located on the north side of Hollins Ferry Road west of Aspen Court and situated in the First Councilmanic District, should be exempted from the regular cyclical procedure of Section 2-356(c) through (h), inclusive, of the Baltimore County Code, 1988, as amended.

This Resolution was unanimously approved by the County Council at its January 16, 1996 meeting and is being forwarded to you for appropriate action.

Sincerely,

A handwritten signature in cursive script, reading "Thomas J. Peddicord, Jr.", is written over a horizontal line.

Thomas J. Peddicord, Jr.
Legislative Counsel/Secretary

TJP:dp
cc: Phil Worrall, Chairman
Baltimore County Planning Board

R00596.TRN

ORIGINAL



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

Mr. Joseph Merrey
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 11-4.97
Permit No. B 322171
Control No: C

Dear Mr. Merrey:

This office has reviewed the referenced permit application
ad we have no objection to approval.

Please contact Larry Gredlein at 410-545-5606 if you have
any questions.

Thank you for the opportunity to review this application.

Very truly yours,

P. J. Burns
for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 26, 1997

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, MD 21204-5817

RE: Drop-Off Revision Review
Reclassification Case CR-96-270-A

Dear Mr. Hoffman:

At the request of the attorney/petitioner, the above referenced revisions were accepted for filing without a final filing review by the staff. The revisions were accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

Be aware that the current 1996 zoning map SW-6B shows this site area in a larger D.R.-16 zoned area. This is not accurately reflected per the zoning lines on the plan.

If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "John L. Lewis".

John L. Lewis
Planner II, Zoning Review

JLL:scj

Enclosure (receipt)

c: Board of Appeals
Zoning Commissioner



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on Recycled Paper

BALTIMORE COUNTY, MARYLAND

42

INTER-OFFICE CORRESPONDENCE

TO : Arnold Jablon, Director
Permits & Development Management

DATE: October 14, 1997

FROM: Kathleen C. Bianco
County Board of Appeals

SUBJECT: Amendment to Approval Granted by Board of Appeals March 15, 1996 - Case No. CR-96-270-A /Hollins Ferry Road Senior Housing Ltd. Partnership /Associated Catholic Charities

Pursuant to the appropriate sections of the Baltimore County Code, a public hearing was held before the Board of Appeals on October 9, 1997 for the purpose of accepting, on the record, Petitioner's proposed amendment to the documented site plan, which was originally approved by this Board on March 15, 1996.

By copy of this memorandum, we are advising the Planning Director of this proposed Amendment. It is our understanding that the appropriate copies of the amended plan and/or petition have been filed with your office for distribution to the appropriate County agencies.

This matter is scheduled for hearing before the Board on Tuesday, November 25, 1997 at 11:00 a.m. A copy of this memo has been forwarded to Gwen Stephens to verify that the required advertising and posting has been accomplished.

If you require any additional information, please call me at extension 3180.

cc: Pat Keller, Planning Director
Jeffrey Long /Office of Planning
Gwen Stephens /PDM

Gwen: Please let me know if you need anything else.

Thanks.





Baltimore County
Office of Planning

401 Bosley Avenue
Towson, Maryland 21204
(410) 887-3211
Fax: (410) 887-5862

November 13, 1997

Kristine K. Howanski, Esq.
Chairman, County Board of Appeals
The Courthouse
Towson, MD 21204

Dear Ms. Howanski:

Please be advised that the Office of Planning has reviewed the amendment in Case No. CR-96-270-A (Hollins Ferry Road Senior Housing Ltd. Partnership/Associated Catholic Charities) and finds that the changes are consistent with the documented site plan approved by the Board of Appeals on March 15, 1996. Therefore, staff supports the proposed amendment to the documented site plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Pat Keller", is written over a horizontal line.

Arnold F. 'Pat' Keller, III
Director

AFK:JL:rlh

97 NOV 13 PM 3:55
COUNTY BOARD OF APPEALS
RECEIVED

S:\HFR.DOC



Printed with Soybean Ink
on Recycled Paper

CASE #: CR-96-270-A

IN THE MATTER OF: HOLLINS FERRY ROAD SENIOR HOUSING
LTD. PARTNERSHIP /ASSOCIATED CATHOLIC CHARITIES

Amendment to Documented Site Plan /Petition for
Reclassification granted by the Board 3/15/96.

9/12/97 -Letter from Robert A. Hoffman, Esquire, on behalf of Petitioner;
requesting hearing to submit amendment to documented site plan /Petition
for Reclassification previously granted by CBA.

9/23/97 -Notice of Assignment sent to parties as listed for Thursday, October
9, 1997 at 9:45 a.m. for purpose of accepting amendment only. No
evidence or testimony to be taken at this time. (Hearing on merits to
be scheduled for 11/25/97; appropriate advertising and posting to be
done prior to that date; amendment to be forwarded to PDM upon
submission on 10/09/97 with appropriate request /information)

10/09/97 -Amendment submitted on the record; amendments filed in PDM; to
prepare memo to PDM regarding this amendment to CR-96-270-A and
scheduled hearing date of November 25, 1997 (on the merits of the
requested amendment).

11/25/97 -Hearing concluded before Board; deliberated immediately thereafter;
amendment approved. Order to be issued by Board. (K.C.W.)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: September 28, 1998
Permits & Development Management

FROM: Charlotte E. Radcliffe *CR*
County Board of Appeals

SUBJECT: Closed File: CR-96-270-A /Hollins Ferry Senior Housing
Ltd. Partnership /Associated Catholic Charities -C.P.;
Baltimore County, Maryland - Legal Owner

As no further appeals have been taken in the above captioned case, we are hereby closing the file and returning same to you herewith.

Attachment (Case File No. CR-96-270-A)

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

VENABLE
ATTORNEYS AT LAW

Robert A. Hoffman
(410) 494-6262

January 2, 1996

VIA FACSIMILE

Mr. Jeffrey Long
Office of Planning and Zoning
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Re: Proposed Out-of-Cycle Rezoning
Property owned by Baltimore County located
on Hollins Ferry Road - 148 Ft. West of Aspen Court
Lansdowne, Baltimore County

Dear Jeff:

As you know, this firm represents the Associated Catholic Charities, Inc. on a proposed elderly housing development located on Hollins Ferry Road in Lansdowne (see attached plat and vicinity map). The proposal is to construct 64 affordable, elderly housing units on approximately 3 1/2 acres in the referenced location. Unfortunately, the property's DR 5.5 zoning classification does not permit sufficient density to allow for the construction of this project.

Associated Catholic Charities and the Baltimore County Office of Community Conservation are working together to properly position this project by April of 1996 to obtain the necessary zoning and to move forward. In order to obtain State funding this year, this must be accomplished by April, 1996. Therefore, we are requesting that the property be rezoned to DR 16 as an out-of-cycle zoning request under Section 2-356(i) of the Baltimore County Code. Since affordable elderly housing units are desperately needed in this part of Baltimore County, a prompt hearing on the merits before the County Board of Appeals of Baltimore County is manifestly in the public interest.

VENABLE
ATTORNEYS AT LAW

Mr. Jeffrey Long
January 2, 1996
Page 2

We, therefore, request that you present this issue to the Baltimore County Planning Board on January 4, 1996, for certification of an out-of-cycle rezoning to the County Council. David Fields, Dale McArdle, of Associated Catholic Charities, Inc., and I will all be in attendance to answer any questions either you or the Planning Board may have.

Yours truly,



Robert A. Hoffman

RAH:pvb

cc: P. David Fields, Director
Dale McArdle

TO:DOCSI/RAH01.0017805.01

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147

MARYLAND
WASHINGTON, D.C.
VIRGINIA

VENABLE
ATTORNEYS AT LAW

Robert A. Hoffman
(410) 494-6262

January 23, 1996

Mr. Robert O. Schuetz, Chairman
County Board of Appeals
of Baltimore County
Old Courthouse, Basement
400 Washington Avenue
Towson, Maryland 21204

Re: Petition of Hollins Ferry Road Senior Housing
Ltd. Partnership and Baltimore County, Maryland, Petitioners

Dear Mr. Chairman:

This firm represents the Hollins Ferry Road Senior Ltd. Partnership in its Petition for out-of-cycle reclassification on approximately 3 acres of land in the Landsdowne area of Baltimore County. The case comes before you following a unanimous Baltimore County Council vote on January 16, 1996 to have this Petition for Reclassification heard "out-of-cycle" as being manifestly in the public interest.

The Reclassification Petition and accompanying documented site plans proposes an increase in zoning density from DR 5.5 to DR 16 to allow for the development of a 64 unit elderly apartment project on the property. The property is currently owned by Baltimore County and will be developed by the referenced Limited Partnership controlled by the Associated Catholic Charities of Maryland, Inc.

The Landsdowne area of Baltimore County is in serious need of affordable housing units for the elderly. This proposed 64 unit project will provide affordable units that will only begin to meet these needs. Unfortunately, there is no land available in this area that has sufficient density and can be purchased at such a cost that would allow for the development of such a project. Accordingly, the Petitioner intends to prove that the County Council erred in 1992 when it failed to provide sufficiently zoned land on which

RECEIVED

Mr. Rob Schuetz
January 23, 1996
Page 2

to construct an affordable elderly project as that proposed in the Petition for
Reclassification.

Additionally, the property is abutted by developed areas zoned for much higher
densities than the DR 5.5 zoning classification currently on the site. This contributes to
the argument that an error was made in 1992 and certainly is evidence that the increase in
zoning density is appropriate to correct the error that was made on the Comprehensive
Map.

Further, Petitioner intends to prove that a mistake or error was made in leaving the
DR 5.5 zoning classification and not rezoning the property to DR 16 in accordance with
each of the requirements under County Code Section 2-356(j).

Yours truly,



Robert A. Hoffman

RAH:pvb
Enclosure
TO1DOCS1/RAH01/0018623.01

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147
www.venable.com

VENABLE
ATTORNEYS AT LAW

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

Robert A. Hoffman
(410) 494-6262

September 12, 1997

HAND-DELIVERED

Kristine K. Howanski, Chairman
County Board of Appeals for
Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

Mr. W. Carl Richards, Jr.
Department of Permits and
Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RECEIVED
COUNTY BOARD OF APPEALS
97 SEP 12 PM 12:55

Re: Hollins Ferry Road Senior Housing Ltd. Partnership/ Associated
Catholic Charities -- Reclassification for Senior Housing
Case No. CR-96-270-A (Out-of Cycle Reclassification)

Dear Ms. Howanski and Mr. Richards:

This firm represents Hollins Ferry Road Senior Housing Limited Partnership with respect to the development of an elderly housing facility for senior citizens in the moderate income category on a 3.25 acre parcel of land located along the north side of Hollins Ferry Road approximately 210 feet west of Aspen Court in the Lansdowne/Baltimore Highlands area of Baltimore County. This project was the subject of an out-of-cycle zoning reclassification with documented site plan and sign variance petition, which relief was granted on March 15, 1996.

On the documented site plan, the Petitioner showed the building envelope with a setback for front building face to tract boundary of 40 feet, which it believed to be in compliance with the requirements set forth in Section 1B01.2.C.1.A of the Baltimore County Zoning Regulations. The documented site plan was approved with the setback as

RBA

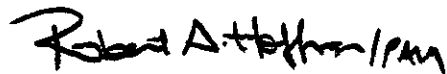
Kristine K. Howanski, Chairman, et al.
September 12, 1997
Page 2

shown. Recently, however, it was discovered that, because Hollins Ferry Road is an arterial roadway, a larger setback was required for the building envelope than was actually proposed and approved on the documented site plan. According to B.C.Z.R. Section 1B01.2.C.1.A, an additional setback of 20 feet is required for buildings located adjacent to arterial roadways.

We have discussed this matter with Pete Zimmerman and Carl Richards, and they have suggested that the appropriate way to handle this situation is to file a Petition for Variance and a Petition for Special Hearing with amended documented site plan to be heard before the Board of Appeals. With this letter, I have enclosed a copy of the amended documented site plan, reflecting the proposed setback variance and some minor adjustments to the building envelope and parking lot.

We are coincidentally filing the petitions and other necessary documents and fees with the County and, at this time, are requesting that a hearing be scheduled before the Board as soon as possible on this matter. If you need any further information regarding this request, please feel free to give me a call.

Very truly yours,



Robert A. Hoffman

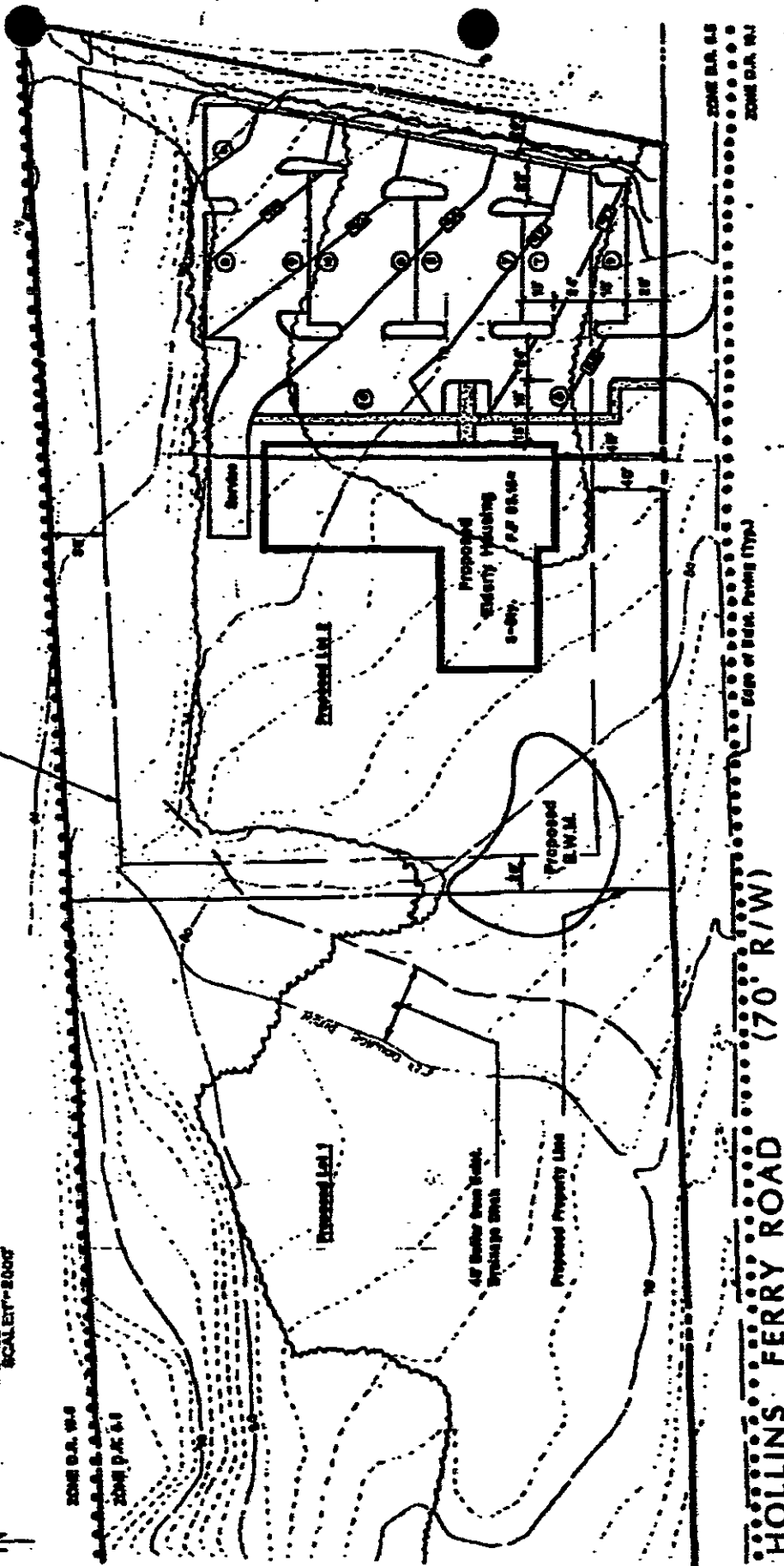
RAH/pam

cc: Peter M. Zimmerman, Esquire
Mr. Dale R. McArdle
Virginia Wood Barnhardt, County Attorney



Encl. Numbered A23.
(Zane 23. 10. 51)

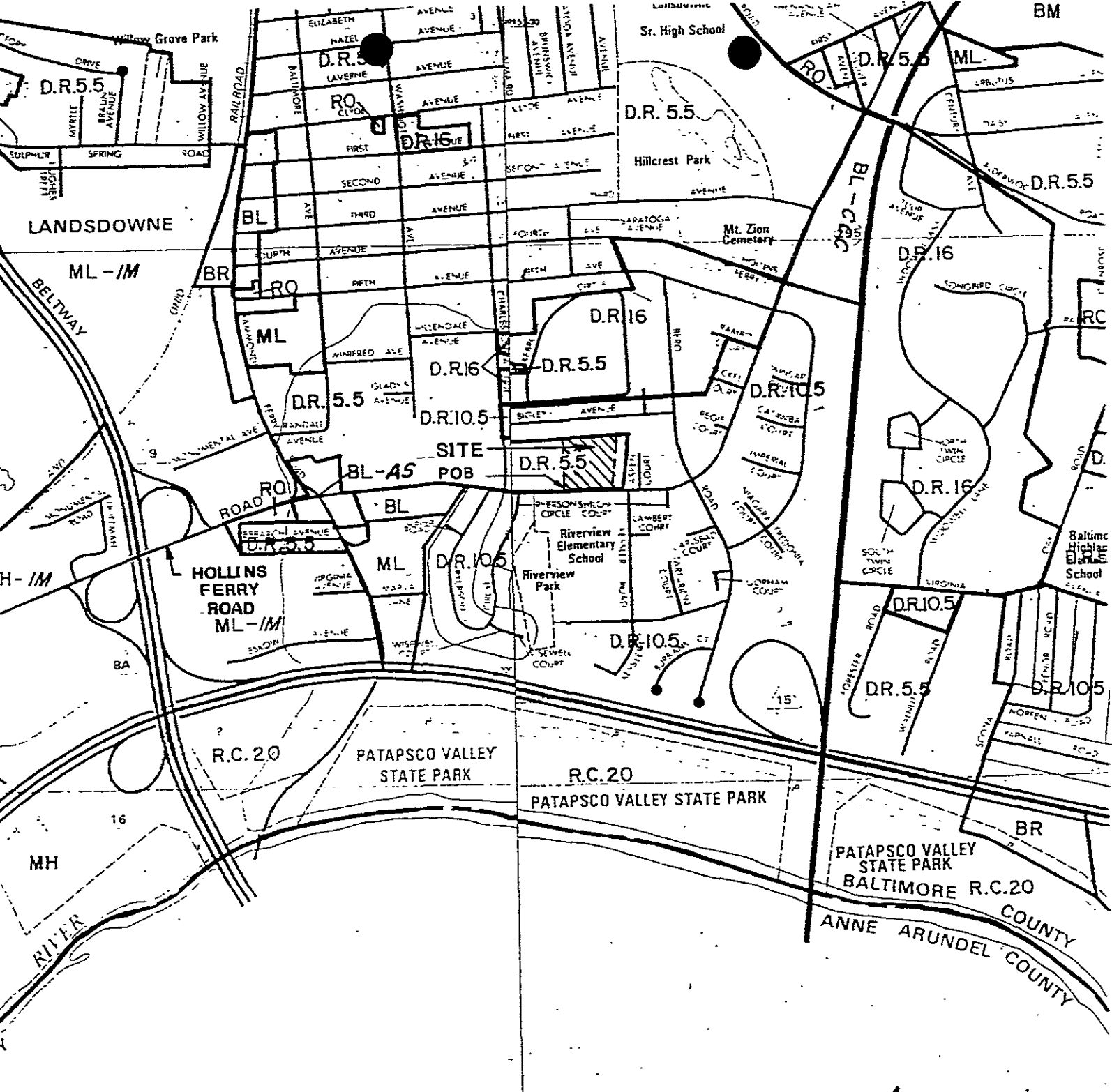
Outback Line Type



HOLLINS FERRY ROAD
(70' R/W)

● 500

Group

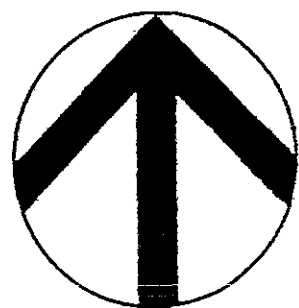


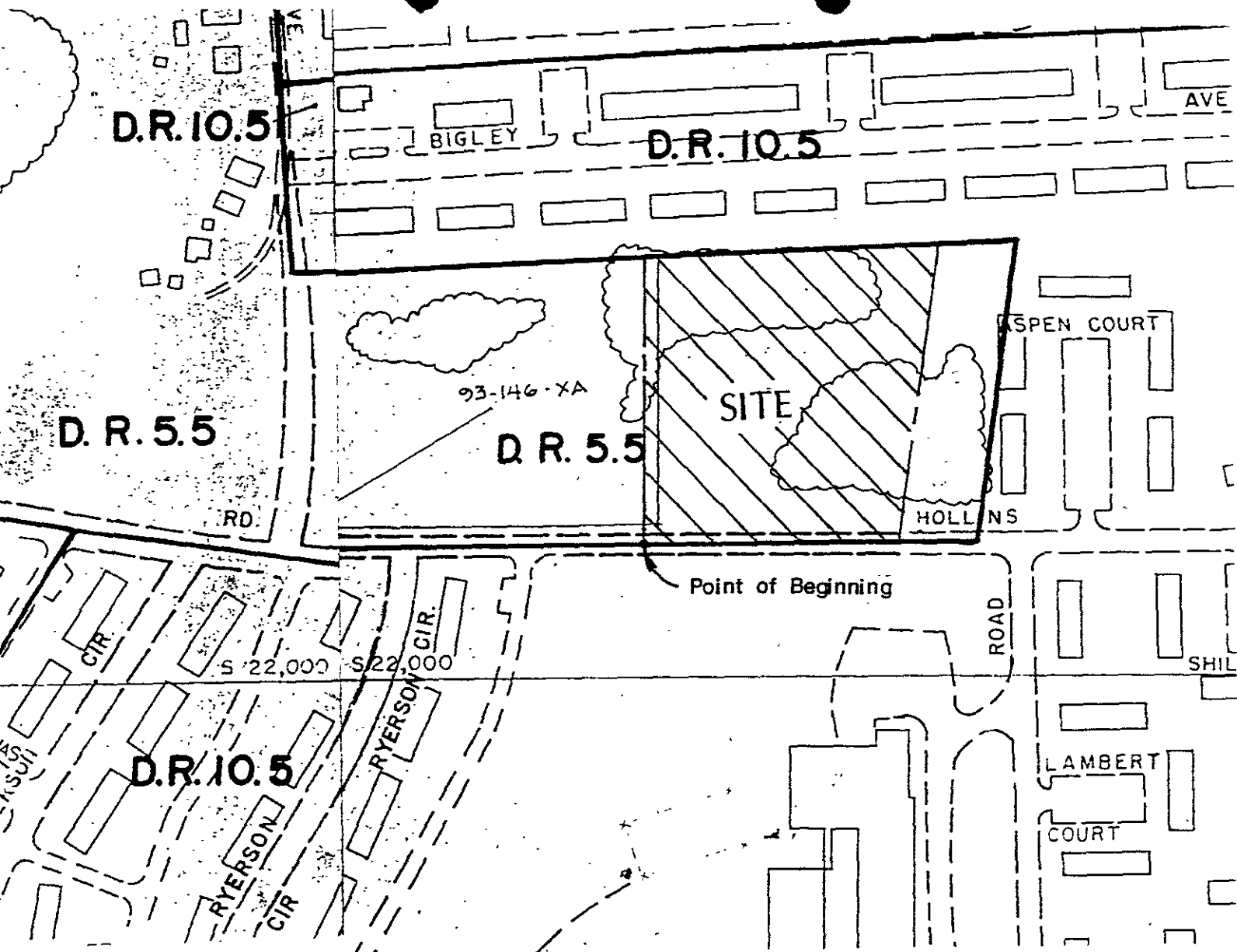
CR-96-270-A

ZONING MAP

Hollins Ferry Road Senior Housing

MICROFILMED

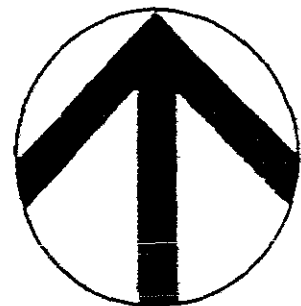




CR-96-270-A

ZONING MAP

Hollins Ferry Road Senior Housing



Pet. Ex. 1

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
LEGISLATIVE SESSION 1996, LEGISLATIVE DAY NO. 2

RESOLUTION NO. 5-96

MR. S. G. SAMUEL MOXLEY, COUNCILMAN

BY THE COUNTY COUNCIL, JANUARY 16, 1996

A RESOLUTION of the Baltimore County Council to approve the Planning Board's certification that the zoning reclassification petition filed by Associated Catholic Charities, Inc., Contract Purchaser, for the property located on the north side of Hollins Ferry Road west of Aspen Court and situated in the First Councilmanic District, should be exempted from the regular cyclical procedure of Section 2-356(c) through (h), inclusive, of the Baltimore County Code, 1988, as amended.

WHEREAS, the Planning Board, by Resolution dated January 4, 1996, has certified that early action on the Petition for Zoning Reclassification filed by Associated Catholic Charities, Inc., Contract Purchaser, requesting a reclassification of the above described property, is manifestly required in the public interest or because of emergency; and

WHEREAS, the County Council of Baltimore County, in accordance with the provisions of Section 2-356(l), may approve said certification and exempt the Petition for Zoning Reclassification from the regular procedures of Section 2-356.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the certification by the Planning Board that early action on the zoning reclassification petition filed by Associated Catholic Charities, Inc., Contract Purchaser, be and the same is hereby approved; and

BE IT FURTHER RESOLVED, that the Board of Appeals shall schedule a public hearing on said Petition in accordance with Section 2-356(l) of the Baltimore County Code.



Baltimore County
Planning Board

Assorted
with the

401 Bosley Avenue
Towson, Maryland 21204
(410) 887-3495
Fax: (410) 887-5862

January 10, 1996

Hon. Kevin Kamenetz
Chairman, Baltimore County Council
County Courthouse
Towson, Maryland 21204

Re: Certification on Reclassification
Petition - Hollins Ferry Road

Dear Councilman Kamenetz:

At a regularly scheduled meeting on January 4, 1996, the Baltimore County Planning Board voted, in accordance with Section 2-356(i) of the County Code, to certify to the County Council that early action upon the petition for zoning reclassification of the property (L.5802/f.190) on the north side of Hollins Ferry Road west of Aspen Court is manifestly required.

Enclosed is the report on this matter by the Office of Planning, as accepted by the Planning Board. The Planning staff will be pleased to assist the Council in the consideration of this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Pat Keller".

Arnold F. "Pat" Keller, III
Secretary

AFK/TD/rh

Enclosure

cc: Members, Baltimore County Council
Merreen E. Kelly, Administrative Officer
Thomas Peddicord, Legislative Counsel/Secretary
Brian Rowe, County Auditor
Virginia W. Barnhart, County Attorney
Patrick Roddy, Assistant County Attorney
Robert O. Schuetz, Chairman, Board of Appeals
P. David Fields, Director, Community Conservation
Arnold Jablon, Director, Permits & Development Management
Peter Max Zimmerman, People's Counsel
~~Robert A. Hoffman, Petitioner's attorney~~

HOLLINS.FER/PZONE/TXTRLH



Baltimore County
Office of Planning

401 Bosley Avenue
Towson, Maryland 21204
(410) 887-3211
Fax: (410) 887-5862

TO: Baltimore County Planning Board DATE: January 2, 1996

FROM: Arnold F. "Pat" Keller, III
Director
Office of Planning

SUBJECT: REQUEST FOR CERTIFICATION - NORTH SIDE OF HOLLINS FERRY
ROAD, 148 FEET WEST OF ASPEN COURT

The attached letter from Robert A. Hoffman, Esquire, on behalf of Associated Catholic Charities, Inc., Contract Purchaser, requests certification by the Planning Board for out of cycle action on a zoning petition for reclassification of the subject property from DR 5.5 to DR 16.

Section 2-356(i) of the Baltimore County Code authorizes the Planning Board to certify to the County Council that expedited scheduling of a reclassification hearing by the Board of Appeals "is manifestly required in the public interest or because of emergency." Neither the certification by the Planning Board nor a concurrence by the County Council would constitute an opinion on the merits of the petition; the effect is simply to take the petition out of the normal cycle zoning schedule for an earlier hearing.

The subject request for certification has been reviewed by planning staff and without taking a position on the merits of the case, we recommend to the Board that certification for early action upon this zoning classification petition is required.

A handwritten signature in dark ink, appearing to read "Pat Keller".

Arnold F. "Pat" Keller, III

AFK:JL:lw
JLMIDB.KRV/PZONE/TXTJWL

Attachment

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147

OFFICES IN:

MARYLAND
WASHINGTON, D.C.
VIRGINIA

VENABLE
ATTORNEYS AT LAW

Robert A. Hoffman
(410) 494-6262

January 2, 1996

VIA FACSIMILE

Mr. Jeffrey Long
Office of Planning and Zoning
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Re: Proposed Out-of-Cycle Rezoning
Property owned by Baltimore County located
on Hollins Ferry Road - 148 Ft. West of Aspen Court
Lansdowne, Baltimore County

Dear Jeff:

As you know, this firm represents the Associated Catholic Charities, Inc. on a proposed elderly housing development located on Hollins Ferry Road in Lansdowne (see attached plat and vicinity map). The proposal is to construct 64 affordable, elderly housing units on approximately 3 1/2 acres in the referenced location. Unfortunately, the property's DR 5.5 zoning classification does not permit sufficient density to allow for the construction of this project.

Associated Catholic Charities and the Baltimore County Office of Community Conservation are working together to properly position this project by April of 1996 to obtain the necessary zoning and to move forward. In order to obtain State funding this year, this must be accomplished by April, 1996. Therefore, we are requesting that the property be rezoned to DR 16 as an out-of-cycle zoning request under Section 2-356(i) of the Baltimore County Code. Since affordable elderly housing units are desperately needed in this part of Baltimore County, a prompt hearing on the merits before the County Board of Appeals of Baltimore County is manifestly in the public interest.

VENABLE
ATTORNEYS AT LAW

Mr. Jeffrey Long
January 2, 1996
Page 2

We, therefore, request that you present this issue to the Baltimore County Planning Board on January 4, 1996, for certification of an out-of-cycle rezoning to the County Council. David Fields, Dale McArdle, of Associated Catholic Charities, Inc., and I will all be in attendance to answer any questions either you or the Planning Board may have.

Yours truly,

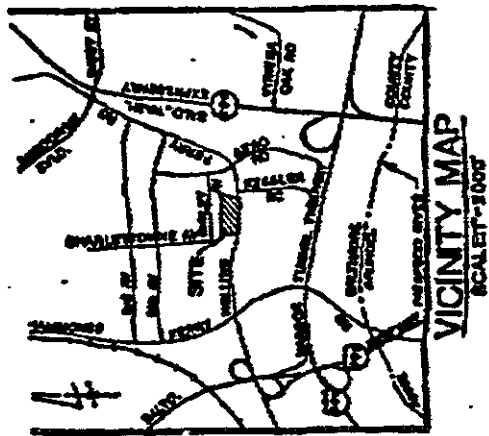


Robert A. Hoffman

RAH:pvb

cc: P. David Fields, Director
Dale McArdle

TO:DOCS1/RAH01.0017S05.01



East, Northward Axis
(Zone D.R. 10.1)

Building Submittal Line (Typ.)

Zone D.R. 10.1

Zone D.R. 10.1

Proposed Lot 1

40' Buffer from Right-of-Way

Proposed Property Line

Proposed E.W.M.

Proposed Building Footprint

Proposed Lot 2

HOLLINS FERRY ROAD (70' R/W)

Zone D.R. 10.1

Zone D.R. 10.1

Edge of Right-of-Way (Typ.)

Long

System Circle

Pet. Ex. 3

RAH

COMPREHENSIVE ZONING MAPS

1996

Baltimore County, Maryland

Log of Issues

with

Preliminary Staff Recommendations

March, 1996

MICROFILMED

BR	1,000	DR 2	167,000
BR	AS	11,600	Total
DR 5.5	154,400		
Total	167,000		

BR	11,500
DR 2	155,500
Total	167,000

See Hellethorpe Act
See Issue 1-005 and 1-007.

1-007 Staff Issue
West side of Washington Blvd., north side of Ridge Ave.

BR	AS	6,300	BL	6,300
BR	DR 2	8,500	Total	38,500
DR 5.5	30,000			44,800
Total	44,800			

BR	3,700
BLR	10,000
DR 3.5	31,100
Total	44,800

See Issue 1-005 and 1-006.

1-008 Staff Issue
North side of Sulphur Spring Road, east of Shelbourne Road.

DR 5.5	26,800	DR 3.5	26,800
Total	26,800	Total	26,800

DR 3.5	26,800
Total	26,800

1-009 Staff Issue
North side of Hollins Ferry Road, 250' East of Ryerson Circle.

DR 5.5	3,600	DR 16	3,600
Total	3,600	Total	3,600

DR 16	3,600
Total	3,600

CR-98-270-A; out-of-cycle.

Pet. Ex. 4

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Robert O. Schuetz, Chairman DATE: March 6, 1996
 Baltimore County Board of Appeals

FROM: Arnold F. "Pat" Keller, III, Director
 Office of Planning

SUBJECT: CASE NO. CR-96-270-A
 BALTIMORE COUNTY, MARYLAND, OWNER/HOLLINS FERRY ROAD SENIOR
 HOUSING LIMITED PARTNERSHIP CONTRACT PURCHASER
 (C/O ASSOCIATED CATHOLIC CHARITIES)

At its regularly scheduled monthly meeting on January 4, 1996, the Baltimore County Planning Board voted in accordance with Section 2-356(i) of the County Code, to certify to the County Council that early action upon the Petition for zoning reclassification of the subject property was manifestly required.

The County Council unanimously approved a Resolution approving the Planning Board's certification on January 16, 1996.

Enclosed herewith is copy of the report of the Office of Planning and Community Conservation.


Arnold F. "Pat" Keller, III

AFK:JL:lw
MEMCR96.270/PZONE/CYCLE

85 MAR 9 - 87N 96

1996 MAR 14

MICROFILMED

CASE NO. CR-96-270-A

PETITIONER:

Baltimore County, Maryland, Owner
Hollins Ferry Road Senior Housing Limited Partnership, Contract
Purchaser (c/o Associated Catholic Charities)

REQUESTED ACTION:

Reclassification to a DR 16 zone and a Variance to allow a
ground mounted, double faced sign with a total of 101.28 square
feet in lieu of the permitted one square foot.

EXISTING ZONING:

DR 5.5

LOCATION:

North side Hollins Ferry Road, 210' west of Aspen Court

AREA OF SITE:

3.288 acres

ZONING OF ADJACENT PROPERTY/USE:

North: DR 10.5 - Multi-family dwellings
South: DR 10.5 - Multi-family dwellings
East: DR 10.5 - Multi-family dwellings
West: DR 5.5 - Unimproved property

SITE DESCRIPTION:

This currently unimproved property is approximately 50% wooded.

WATER AND SEWERAGE:

The area is served by public water and sewer, and is designated
a W-1, S-1 (existing service area) according to the Master
Water and Sewer Plan.

TRAFFIC AND ROADS:

The site has direct access to Hollins Ferry Road, and is
located approximately 3,500 feet east of the Hollins
Ferry/I-695 interchange.

ZONING HISTORY:

Prior to adoption of the 1980 Comprehensive Zoning Map, the site was zoned BL-CNS. As part of the 1980 Comprehensive Zoning Map Process, an issue was created on a 9.4 acre, BL-CNS zoned parcel which included the subject site. The entire 9.4 acre tract of land was rezoned by the County Council to the DR 5.5 zone classification (see Issue No. 1-19, 1980).

MASTER PLAN:

The property is designated "Single Family Attached Residential" on the 1992 Proposed Land Use Map. Action #13 on page 37 of the Baltimore County Master Plan 1989-2000 states, "Permit planned retirement developments and other elderly housing facilities subject to appropriate design standards to achieve compatibility with existing neighborhood. Housing for the elderly should be located in areas that have sufficient support services and should be dispersed to allow the elderly to remain in their communities."

PROPOSED VS. EXISTING ZONING:

The regulations for DR zones may be found in Section 1B01.1A of the Baltimore County Zoning Regulations (BCZR). Section 432 of the BCZR addresses Elderly Housing Facilities in DR zones.

DOCUMENTED SITE PLAN:

A documented site plan (DSP) has been submitted for an Elderly Housing Facility - Class A. The project will consist of a 64-unit apartment building which will provide affordable housing units for the elderly. Fifty one parking spaces will be provided on site.

OFFICE OF PLANNING AND COMMUNITY CONSERVATION ANALYSIS AND RECOMMENDATIONS:

Reclassification:

Associated Catholic Charities proposes to build a 64-unit development of affordable housing for the elderly to address the critical need for senior housing in the Lansdowne/Baltimore Highlands community. The development will house one and two-person elderly households with annual incomes between \$13,000 and \$25,000 per year. Rent for a one bedroom apartment will start at \$390 per month.

Only one elderly housing facility now exists in this community, and within this project occupancy is limited to very low-income seniors. Thus, seniors in the more moderate income range must move to another community if they are to access specialized senior housing. Often, seniors who would benefit from living in

a senior facility will not move away from their neighbors, churches and other support networks, staying in a unmanageable and potentially hazardous situation. In 1990, there were approximately 1,100 households in Lansdowne and Baltimore Highlands with at least one elderly member, representing approximately 25 percent of the community's households.

The community, the developer and the County began work on this initiative in 1993. A survey was done to identify appropriate sites. Lansdowne/Baltimore Highlands is almost entirely built out and few vacant sites exist in this area. The three other vacant sites that were identified were found unsuitable because they were either too small, had environmental constraints, or were unavailable for purchase.

In 1995, Lansdowne/Baltimore Highlands was designated as a Priority Action Area under the County's Community Conservation Program. There are three other such areas in the County, each one exhibiting trends of population loss, increase in low income households and physical deterioration. This designation as a Priority Action Area directs the County to work with the community's leadership to address critical issues in a comprehensive way. Senior housing is one need identified by the community. Other initiatives planned or underway in the community include home ownership promotion, creation of a new community park, enhancements to existing recreational facilities, operation of the Southwest Community Center in the old Lansdowne library, rehabilitation of older housing, family crisis counseling and commercial revitalization. Each initiative is equally important in this effort to reduce community decline.

The proposed senior housing development will be financed with State and County funding. The State resources to be used are direct funding and the allocation of a federal tax credit. There is a great deal of competition across the State for these programs, with demand far exceeding the availability of funds and tax credits. The tax credit program is also threatened by possible congressional action. It is imperative that the proposed project be reviewed within the upcoming round of applications to the State in April of 1996. If the project does not have appropriate zoning, it will not be competitive and will in all likelihood not receive a commitment of State support.

The office supports the applicant's request for out-of-cycle rezoning of the subject parcel for the reasons as follows:

1. There is a critical need for housing affordable to moderate income seniors in this community.
2. The parcel provides the only opportunity for the proposed development in the Lansdowne/Baltimore Highlands community.

3. The proposed project will contribute to the overall enhancement/conservation of the community, a priority action area under the Community Conservation program.
4. The proposed project is feasible only through the use of scarce state housing resources for which application can be made in April of this year (1996). Without appropriate zoning, the proposal will not be competitive.

Variance

The sign face elevation indicates an attractive, reasonably sized informational sign. In order to call the attention of visitors and emergency vehicles, a large sign is necessary, considering the proposed use of the property.

MISTAKE/CHANGE/ERROR:

It is the position of the Office of Planning and Community Conservation that the Baltimore County Council erred when the 1992 Comprehensive Zoning Maps were approved, in that insufficient higher-density residential zoned land was provided to accommodate a critical need (affordable senior housing) in the Lansdowne/Baltimore Highlands community. Additionally, the Council erred because County owned parcels of land were not considered for rezoning during the 1992 Comprehensive Zoning Map Process.


Arnold F. "Pat" Keller, III/David Fields

AFK:JL:lw
CYCR96.270/PZONE/CYCLE

Southwest Leadership Team, Incorporated

I am here, today, representing the Southwest Leadership Team Incorporated to address the issue 1-009.

We are her representing not only the members within the Southwest Leadership Team Incorporated, who have worked for this Senior Housing for the last three years, we are also submitting support from the following groups within the entire area: Maryland Citizens for The Environment Incorporated

I am the Director - (410) 247-2325

The Greater Baltimore Highland Community Association Inc.

President - Marge Miller - (410) 789-9260

Citizens for The Environment Chapter One Inc.

Director - Catherine Owings - (410) 636-2186

The Lansdowne Improvement Association Inc.

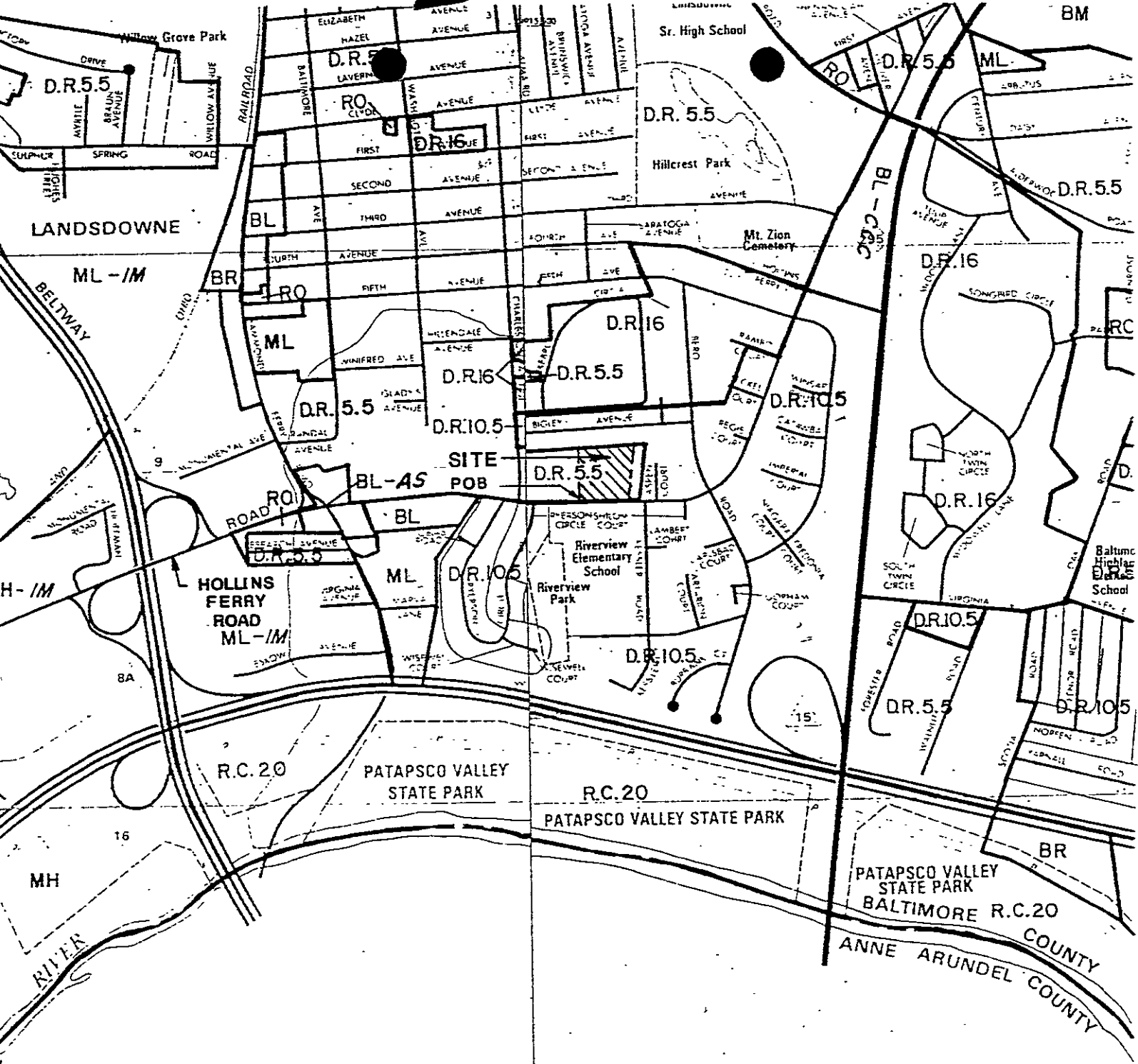
President - Jake Miller - (410) 242-4197

Southwest Leadership Team Inc.

President - Father Steve Girard - (410) 242-1515

Corporate Officer - myself

This project is sorely needed for our seniors. The zone must be changed from DR 5.5 to DR 16.



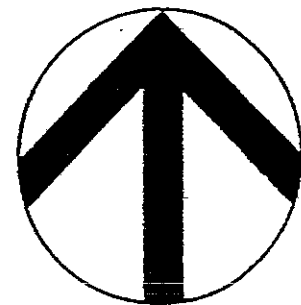
CR-96-270-A

ZONING MAP

Hollins Ferry Road Senior Housing

Continued

Pet. Ex. 6



ASSOCIATED CATHOLIC CHARITIES /Hollins
Ferry Road Senior Housing Ltd. Partnership
/Contract Purchaser; Baltimore County,
MD - Legal Owner

CR-96-270-A
(Out-of-Cycle)

13th Election District
1st Councilmanic District

From D.R. 5.5 to D.R. 16

January 4, 1996	Planning Board Meeting and recommendation for early action.
January 16	Approved by County Council.
January 30	Petition for Reclassification from D.R. 5.5 to D.R. 16 filed by Robert A. Hoffman, Esquire, on behalf of Petitioner.

Robert A. Hoffman, Esquire
VENABLE, BAETJER & HOWARD, LLP
210 Allegheny Avenue
Towson, MD 21204

Counsel for Petitioner

Dale McArdle, Vice President
Hollins Ferry Road Senior
Housing Limited Partnership
c/o Associated Catholic Charities
320 Cathedral Street
Baltimore, MD 21201

Petitioner /Contract Purchaser

Virginia Wood Barnhart, Co. Atty.
for Baltimore County, Maryland
400 Washington Avenue
Towson, MD 21204

Petitioner /Legal Owner

STV, Incorporated
21 Governor's Court
Baltimore, MD 21244-2722

Engineer

James Earl Kraft
Baltimore County Board of Education
People's Counsel for Baltimore County
Pat Keller
Jeffrey Long
Lawrence E. Schmidt
W. Carl Richards, Jr.
Docket Clerk /PDM
Arnold Jablon, Director /PDM

MICROFILMED

13th Election District

(284)

CR-11-270-A

✓

N/S Hollins Ferry Road, 510' E of Charleston Avenue

13th Election District - 1st Councilmanic

Legal Owner: Baltimore County, Maryland

Contract Purchaser: Hollins Ferry Senior Housing Limited Partnership

HEARING: THURS MARCH 7 1996 at 10 a.m. Rm. 48 Old Courthouse before
the Board of Appeals.

Reclassification of property's zoning from D.R.5-5 to D.R.-16.

Variance to allow a ground mounted double-faced sign a total of 101.28
sq. ft. in lieu of the permitted 1 sq. ft.

Post by: 2/21/96

Postul By *Wahlstand*

*Posted Wayne Flann
2-29-96*

IN THE MATTER OF * BEFORE THE
THE APPLICATION OF *
HOLLINS FERRY SENIOR HOUSING LTD. * COUNTY BOARD OF APPEALS
PARTNERSHIP /ASSOCIATED CATHOLIC *
CHARITIES -C.P., BALTIMORE COUNTY, * OF
MARYLAND -LEGAL OWNER FOR A *
RECLASSIFICATION AND VARIANCE * BALTIMORE COUNTY
ON PROPERTY LOCATED ON THE NORTH *
SIDE HOLLINS FERRY ROAD, 510' EAST * CASE NO. CR-96-270-A
OF CHARLESTON AVENUE * (Out of Cycle)
13TH ELECTION DISTRICT *
1ST COUNCILMANIC DISTRICT * * * * *

OPINION

This case comes as a Petition for Reclassification pursuant to Baltimore County Code Section 2-356(i) in which the instant Petition comes exempt from the cyclical procedures. The matter was heard in a single day of testimony and was deliberated in open hearing. Appearing for the Petitioner was Robert A. Hoffman, Esquire, Venable, Baetjer & Howard LLP; participating in the proceeding was Carole S. Demilio, Deputy People's Counsel for Baltimore County. Evidence and testimony were limited to the Petitioner's case which consisted of testimony brought by Dale McArdle, Director of Housing Services of Associated Catholic Charities; Jeffrey Long of the Baltimore County Office of Planning; P. David Fields, Director of Baltimore County Office of Community Conservation; Amy Johannsen, Southwest Sector Coordinator of the Office of Community Conservation; Theresa Lowery, a nearby resident and community activist; Debra K. Whittle, landscape architect with the firm STV, Inc.; and Mickey Cornelius, Vice President of The Traffic Group.

The instant site is located along Hollins Ferry Road, opposite and between Ryerson Circle to the west and Kessler Road to the east

Case No. CR-96-270-A Hollins Ferry Senior Housing
Limited Partnership /Associated Catholic Charities

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in the Lansdowne /Baltimore Highlands community of southwest Baltimore County. The site is approximately 3.25 acres (including 30 feet of Hollins Ferry Road), is owned by Baltimore County, Maryland, and is proposed to be under a 99-year lease to Associated Catholic Charities for the purpose of constructing elderly housing for individuals of moderate income. Mr. McArdle provided testimony to illustrate the effort made in identifying potential sites for such a use in the Lansdowne /Baltimore Highlands vicinity, as well as criteria used to determine eligibility of individuals in the "moderate income" category. Mr. McArdle also briefly described the development as proposed on the documented site plan provided with the Petition as being elderly apartments consisting of 64 units of different sizes, wood frame construction, with rentals in the \$390.00 to \$425.00 per month range. As part of the Petition for Reclassification and pursuant to Baltimore County Code Section 2-356(p), Petitioner brings a Petition for Variance which, in the case where it is brought in conjunction with a Petition for Reclassification, the Board has original jurisdiction.

Mr. McArdle described the exhaustive search for possible sites for such a venture as that which is proposed in the instant case, noting that the Lansdowne /Baltimore Highlands community is an essentially built-out community with virtually no sites available for such development. He described the community as one comprised of an aging population; one where long-time residents of the area have few options available to remain in their communities, moving

Case No. CR-96-270-A Hollins Ferry Senior Housing
Limited Partnership /Associated Catholic Charities

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on to other housing options where, at their advanced age, they could better care for their property. Finally, Mr. McArdle provided a list of projects which the Associated Catholic Charities has completed and is attempting, stating that generally construction of affordable housing requires some government subsidy. The instant case is brought out-of-cycle because of the requirements of the State of Maryland in which such financing application must be made by April of this year. The State's funds available through such a program are awarded in a competitive application process which takes into account the viability of such projects, including the requirement for having zoning in place to accomplish its end.

Mr. Jeffrey Long provided comments by the Office of Planning and Community Conservation found in Petitioner's Exhibit 4. The Offices of Planning and Community Conservation jointly support the Petition for Reclassification which addresses the dearth of affordable senior housing in the Lansdowne /Baltimore Highlands community. It should be noted at this point that the Master Plan (MP) calls for the instant site to be designated single-family attached residential on the 1992 proposed land use map. Action #13 on page 37 of the Baltimore County Master Plan 1999-2000 states:

"Permit planned retirement developments and other elderly housing facilities subject to appropriate design standards to achieve compatibility with existing neighborhood. Housing for the elderly should be located in areas that have sufficient support services and should be dispersed to allow the elderly to remain in their communities."

Case No. CR-96-270-A Hollins Ferry Senior Housing
Limited Partnership /Associated Catholic Charities

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Other items of note found in Petitioner's Exhibit 4 and in the testimony of Mr. McArdle and Ms. Johannsen indicate that seniors in the moderate income range have no other housing opportunities in the vicinity, thus forcing those seniors to move to other communities in order to access specialized senior housing. There is only one other senior housing facility in the community which is limited to very low income seniors. The testimony brought today indicates a long waiting list of seniors desirous of such facilities in their home community.

Mr. Jeffrey Long also addressed the issues surrounding the need for a variance pursuant to Section 307.1 of the Baltimore County Zoning Regulations, noting that the mere existence of the instant site in the densely development and populated community and its potential to accommodate a growing senior population makes the instant site unique, going on to state that signage as proposed is necessary to preserve the health, safety and general welfare of the community and potential residents of the proposed development for ease of access of emergency and official vehicles, as well as visitors to such a facility. Finally, Mr. Long indicated that the square footage recommended for such signage in strict conformance with the zoning regulations would therefore result in a practical difficulty and unreasonable hardship. This Board notes that such practical difficulty and unreasonable hardship includes the potential endangerment of the prospective residents without proper signage and identification for emergency vehicles.

Case No. CR-96-270-A Hollins Ferry Senior Housing
Limited Partnership /Associated Catholic Charities

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Mr. Fields provided some enlightening testimony as to the history of not just this project but other similar efforts County-wide. In cross-examination, Mr. Fields indicated that the Office of Community Development had worked on the need for affordable senior housing in the area dating back to the mid- to late 1980s. Further, he indicated that the Lansdowne /Baltimore Highlands area is a priority area of the Office of Community Conservation, and that senior housing is one of several needs to be met in their efforts. On direct examination, Mr. Fields indicated that the County's assistance in this effort is clearly evidenced in this case by the County's long-term lease dedication of such property for the given use, as well as funds for the proposed development as a subsidy in order to accomplish what has been proposed.

Ms. Amy Johannsen prior to her current position was the hearing coordinator of the Office of Community Development. Ms. Johannsen stated for the Board that a severe need for senior housing has existed since prior to 1992, and that the population in the Lansdowne /Baltimore Highlands area is an aging population of which roughly 25 percent of the homes are occupied by residents qualifying as elderly.

Ms. Debra Whittle, landscape architect and accepted expert in landscape architecture, testified concerning issues to be addressed by this Board relative to the Petition for Reclassification; those requirements are found in Baltimore County Code Section 2-356(j)(2). Ms. Whittle alleges mistake in that known population

Case No. CR-96-270-A Hollins Ferry Senior Housing
Limited Partnership /Associated Catholic Charities

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trends of the area, as well as trends about which the Master Plan makes recommendations, resulted in no available sites with appropriate zoning to accommodate such projects. She also stated that present and proposed transportation, water supply, sewerage, and solid waste disposal facilities are capable of accommodating the proposed development under the requested reclassification that the project as proposed is not only compatible with uses in the proposed zoning but in fact is desirable and consistent with the Master Plan in that the Master Plan cites the need for elderly housing. She also indicated that the project is consistent with the County plan for water and sewerage facility and the capital program in that no capital projects are planned for this community. Finally, she indicated that the project as proposed would consist of a mix of efficiencies, one-bedroom and two-bedroom units which will not exceed the 52 density units which would be allowable under the proposed zoning reclassification.

Mr. Cornelius, an expert in traffic engineering, testified concerning the level of service of signalized intersections in the vicinity, all of which are currently operating at level service A. Mr. Cornelius opined that all transportation facilities in the area are adequate to the existing and proposed zoning classifications, basing his opinion on field work, study of the service level of nearby intersections, and the number of trips expected to be generated by possible uses of existing and prospective zoning classifications. Mr. Cornelius's testimony concluded Petitioner's

Case No. CR-96-270-A Hollins Ferry Senior Housing
Limited Partnership /Associated Catholic Charities

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case.

This Board finds that the Baltimore County Council erred in applying the D.R. 5.5 zoning classification in the 1992 Comprehensive Zoning Map Process. Making this finding, the Board notes that the County Council, despite present established trends in the aging of the population of the Baltimore Highlands /Lansdowne community, and a lack of available sites for projects such as that proposed, erred in not making accommodation to fill that need. Further, the Council did not take into consideration any properties owned by the County in the 1992 Comprehensive Zoning Map Process; pursuant to People's Counsel v. A. V. Williams, 45 Md.App. 618,:

"...Error can be established by showing that at the time of the comprehensive zoning the Council failed to take into account then existing facts, or projects or trends which were reasonably foreseeable of fruition in the future, so that the Council's action was premised initially on a misapprehension.... Error or mistake may also be established by showing that events occurring subsequent to the comprehensive zoning have proven that the Council's initial premises were incorrect."

The Board is convinced that the prospective reclassification of the property is warranted in that the Board finds the testimony and evidence overwhelming in illustrating the tremendous need for affordable senior housing for all levels of income. With the population of the Lansdowne community generally aging, the Board finds it necessary for such facilities to exist. The Board finds that present and proposed transportation, water supply, sewerage, solid waste disposal, schools, recreational and other public

Case No. CR-96-270-A Hollins Ferry Senior Housing
Limited Partnership /Associated Catholic Charities

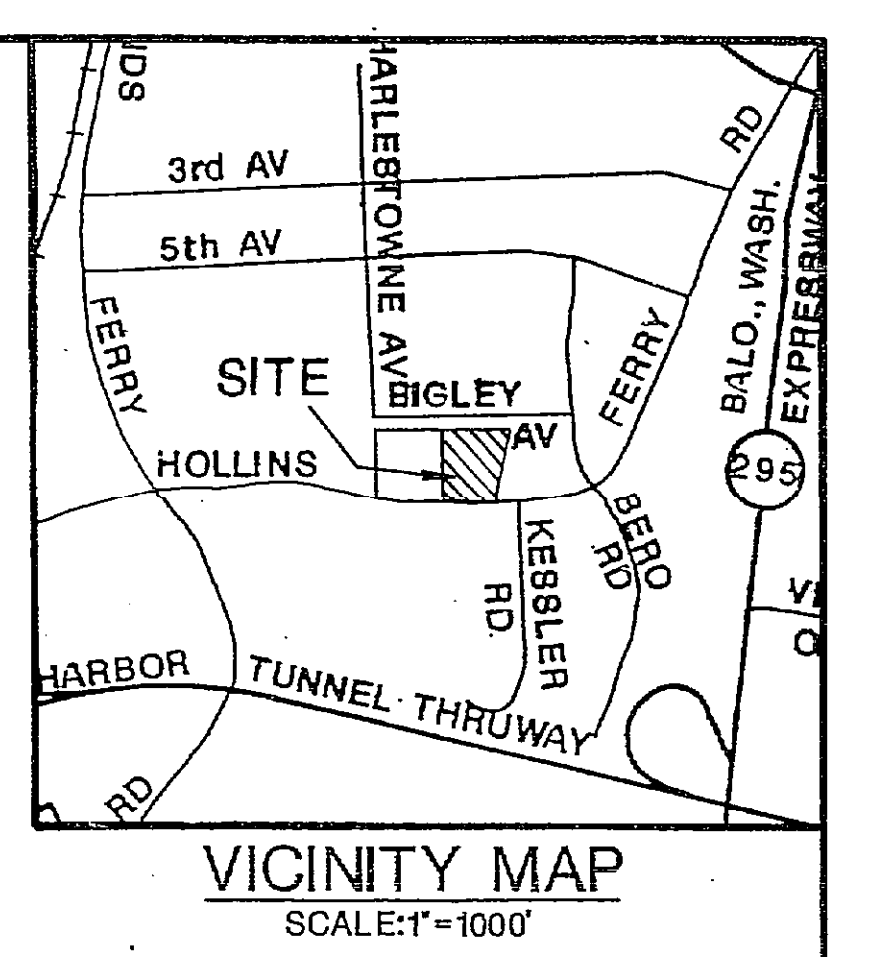
8

facilities are adequate and available for possible uses under the proposed reclassification; that the possible uses under the proposed classification are compatible with the surrounding community; that the proposed classification is consistent with the current and prospective classifications within the Master Plan, the County plan for sewerage and water supply facilities and the capital program. Finally, the Board concurs with the recommendation of the Office of Planning in identifying this property for use as it is proposed.

Baltimore County Zoning Regulations, Section 307.1, defines for the Board criteria for granting variances. Petitioner seeks a variance from Sections 1B01.1A.13 and 413.1 to permit 50.64 sq. ft. of double-faced signage to be placed near the proposed entrance on Hollins Ferry Road. The Board is persuaded from the evidence and testimony that this site is unique from others in the Lansdowne /Baltimore Highlands community in its size and availability for such use; further, the Board finds that the signage requirements in Section 413.1, if strictly complied with, would present practical difficulty and unreasonable hardship for the Petitioner in that the public safety and general welfare in matters such as the instant case are preserved by the placement of such signage to provide for quick identification by emergency and official vehicles, as well as for visitors to the site.

For all of the above reasons, the Board will grant the Petition for Reclassification and Petition for Variance, and will

DENSITY NOTE:
A TOTAL OF 52 DENSITY UNITS
WILL NOT BE EXCEEDED, HOWEVER,
THE MIX OF UNIT TYPES
(i.e. EFFICIENCY, 1-BDRM, 2-BDRM,
OR 3-BDRM UNITS MAY BE
INTERCHANGED.



General Notes:

- APPLICANT: HOLLINS FERRY ROAD SENIOR HOUSING LIMITED PARTNERSHIP, 201 CATHART DRIVE, BALTIMORE, MARYLAND 21201
- OWNER: BALTIMORE COUNTY, MARYLAND, 200 WASHINGTON AVENUE, BALTIMORE, MARYLAND 21204
- ELECTION DISTRICT: 13
- COUNCILMAN'S DISTRICT: 13
- EXISTING USE: VACANT
- PROPOSED USE: ELDERLY HOUSING APARTMENTS - CLASS A
- ZONING: EXISTING ZONE: DR 5.5 (DENSITY: RESIDENTIAL); PROPOSED ZONE: DR 10.5 (DENSITY: RESIDENTIAL)
- SITE AREA: (NET) 3.87 AC (GROSS) 3.23 AC (INCLUDING 30' OF HOLLINS FERRY ROAD); (GROSS) 3.23 AC (INCLUDING 30' OF HOLLINS FERRY ROAD)
- DENSITY ALLOWED: 12.5 AC @ 19 UNITS/AC = 243 DENSITY UNITS
- DENSITY PROVIDED: 19 UNITS/AC @ 19 DENSITY UNITS; 2 BEDROOM UNITS @ 19 DENSITY UNITS; 1 EFFICIENCY UNIT @ 19 DENSITY UNITS; TOTAL: 243 DENSITY UNITS
- * SEE DENSITY NOTE ABOVE
- PARKING PROVIDED: 51 SPACES
- PARKING REQUIRED: 44 UNITS @ 1.15 SPACES = 50.6 SPACES
- DEED REFERENCE: 302 / 199; TAX ACCOUNT NUMBER: 13-10001101
- BUILDING SETBACKS: MINIMUM FRONT BUILDING FACE TO R/W: 25'; SIDE FACE TO TRACT BOUNDARY (FRONT & REAR): 30'; BUILDING FACE TO TRACT BOUNDARY (SIDE): 30'
- MAXIMUM BUILDING HEIGHT: 60' STORY
- ZONING MAP NO. SW 8-B-EC
- THIS SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA OR WITHIN 100 FEET OF A RIVER, CREEK, OR STREAM OR OTHER BODIES OF WATER ARE LOCATED ON THE SITE.
- THE SITE IS NOT LOCATED IN A NEIGHBORHOOD AREA OR IN AN AREA WHERE FLOODING OF THE BASIC SERVICE MAP CURRENTLY EXIST.
- THE PROPOSED LANDSCAPE DESIGN SHALL MEET THE REQUIREMENTS OF THE BALTIMORE COUNTY LANDSCAPE MANUAL. THE LANDSCAPE PLANTING SHOWN ON THE PLAN ARE CONCEPTUAL.
- NOTE: ANY CHANGES REQUIRED BY THE DEVELOPMENT PROCESS ARE INTENDED TO BE PRESENTED WITHOUT THE REQUIREMENT OF ADDITIONAL BOARD OF APPEALS APPROVALS UNLESS OTHERWISE REQUIRED BY FCMA.
- LOCAL OPEN SPACES REQUIRED: 44 UNITS @ 400 S.F. UNIT = 17,600 S.F. (400 AC)
- A WAIVER OF THE LOCAL OPEN SPACE REQUIREMENT SHALL BE REQUESTED FOR THE PROPOSED DEVELOPMENT.
- THE FOREST CONSERVATION REQUIREMENTS SHALL BE ADDRESSED FOR THE PROPOSED DEVELOPMENT.
- A STORMWATER MANAGEMENT FACILITY WILL BE PROVIDED FOR THE PROPOSED DEVELOPMENT. THE PROPOSED LOCATION OF THE STORMWATER MANAGEMENT FACILITY AS WELL AS THE SPECIFIC DETAILS ON THE ACTUAL LOCATION AND TYPE OF STORMWATER MANAGEMENT FACILITY SHALL BE DETERMINED DURING THE DEVELOPMENT PROCESS.
- THE PROPOSED USE SHALL BE A 24 HOUR FACILITY. APPROXIMATELY 5 PART-TIME AND 1 FULL-TIME EMPLOYEES WILL BE NEEDED FOR THE OPERATION OF THE FACILITY. PART-TIME EMPLOYEES SHALL CONSIST OF 10 MANAGERS, 11 SECRETARIES, 10 MAINTENANCE, 10 JANITORS, 10 FULL-TIME PORTER.
- THE PROPOSED BUILDING SHALL MEET THE BUILDING CODE AS WELL AS ALL FIRE CODES.
- A VARIANCE SHALL BE REQUESTED FROM SECTION 11.1.1.1.1.2 TO ALLOW A SIGN WITH A TOTAL AREA OF 101.28 SQUARE FEET (20.25 SQUARE FEET EACH SIDE) IN LIEU OF THE ALLOWED 1 SQUARE FOOT.
- THE SITE IS NOT LOCATED IN A HISTORIC DISTRICT.
- IF ANY ASSOCIATED PERSONAL SERVICES OR ACCESSORY USES, INCLUDING ASSOCIATED WITH ELDERLY APARTMENTS ARE PROPOSED, IT WILL BE FOR THE EXCLUSIVE USE OF THE RESIDENTS.
- THE PROPOSED DEVELOPMENT WILL NOT CREATE SOUND VIBRATIONS, DUST, GASES, OR HEAT.
- ALL SITE LIGHTING AND ANY FIXTURES USED TO ILLUMINATE PARKING AREAS SHALL BE ARRANGED TO REFLECT LIGHT AWAY FROM ADJACENT RESIDENTIAL PREMISES AND PUBLIC STREETS.
- THERE SHALL BE NO DEN OR OTHER LIVING AREA (100 S.F. OR GREATER) LOCATED IN EACH UNIT WHICH COULD BE UTILIZED FOR A BEDROOM.
- ZONING HISTORY: CASE # 23-22-8
- A RECLASSIFICATION OF THE PROPERTY FROM A RL ZONE TO A DR ZONE WAS GRANTED BY THE ZONING COMMISSIONER ON MARCH 2, 1973. AN ORDER OF APPEAL ON THIS ORDER WAS MADE ON MARCH 22, 1973.
- IN ORDER OF REVIEW OF APPEAL, NO GRANTED BY THE BALTIMORE COUNTY BOARD OF APPEALS ON AUGUST 22, 1973.
- THE PROPOSED UTILITY CONNECTIONS TO THE BUILDING ARE PRESENTLY THE ULTIMATE LOCATION OF THESE CONNECTIONS SHALL BE DETERMINED DURING THE DEVELOPMENT PROCESS.

PRINTED
FEB 8 1995

Adjoining Property Owners (Riverview Subdivision)

LOT #	PROPERTY OWNER	DEED REFERENCE	LOT #	PROPERTY OWNER	DEED REFERENCE
44	ANGELA AUSTIN ALLEN	NOT AVAILABLE	49	SAPPE MICHAEL T.	6180774
45	FABIAN RAYMOND N. & ANNE M.	7135112	70	ROCKEY JAMES A.	6019557
46	FABIAN RAYMOND N. & ANNE M.	6700041	71	MATTHEW THOMAS R.	8774147
47	BALTIMORE COUNTY & HAVEN J.	1072154	72	VICENT GORDON N. JR.	5426171
48	FABIAN CHARLES E.	8003443	73	SMITH WILLIAM ALFRED	11201711
49	CLEVELAND DAVID E. & LINDA S.	6031171	74	POWELL RALPH A.	7991465
50	LINDA ANN BERNARD & MARY E.	NOT AVAILABLE	75	OLIVERMAN JUDITH R.	2871293
51	CAMPBELL RAYMOND C. & MARY E.	3087171	76	SMITH JACOB W.	1070447
52	SLICK WILLIAM ROSE	8797101	77	SHAW MORRIS L.	7337141
53	WILD THOMAS R. & CONSTANCE D.	8151471	78	COLE HOWELL	1100412
54	BRIDGES KATHLEEN C.	6464147	79	MULLIN-MICHAEL L.	1004079
55	ASSOCIATED ANDRES & PERNA	3666432	80	SADLER ALVIN J. JR.	9819174
56	POWERS MARY L.	6627118	81	OLDENWORTH CHRISTOPHER J.	6031637
57	POWELL GLENN G. & SHIRLEY F.	NOT AVAILABLE	82	VANDERBILT GEORGE EDWARD JR.	7799114
58	POWELL RALPH A.	6600191	83	EDMONDSON ROBERT A. BERGHAUS	2750104
59	STANBURY LUCY E.	2580497	84	MOORE EDWARD JR.	5160403
60	WILSON JAMES P. & HARRIET R.	2325127	85	POWELL RALPH A.	6860597
61	BOARDS CHRISTOPHER & DEBRA	7025171	137	CASTRUCCIO PETER A. & SAGE M.	3620112
62	KING NELSON & LINDA	7425104	138	MOLLOY STEVEN A. WOLF	8161444
63	PERROW JOHN & CATHY LYNN	2730446	139	WISLA ROBERT EDWARD & JEAN	5281096
64	BURNETTE STEVEN W.	1133118	140	RALES WILLIAM M.	1110063
65	POWELL RALPH A. & COLLEEN E.	6720446	141	CASTRUCCIO PETER A. & SAGE M.	3782444
66	LISDA FRED G. & TRACY CAROLYN	6766471	142	KIRBY ROBERT S.	2821019
67	WILSON GLOVER Y. & CHARLES D.	7554517	143	CASTRUCCIO PETER A. & SAGE M.	4340004
68	OLDENWORTH CHRISTOPHER	5437008	144	CASTRUCCIO PETER A. & SAGE M.	10000114

CLASS 'A' ELDERLY HOUSING

PLAN PREPARATION

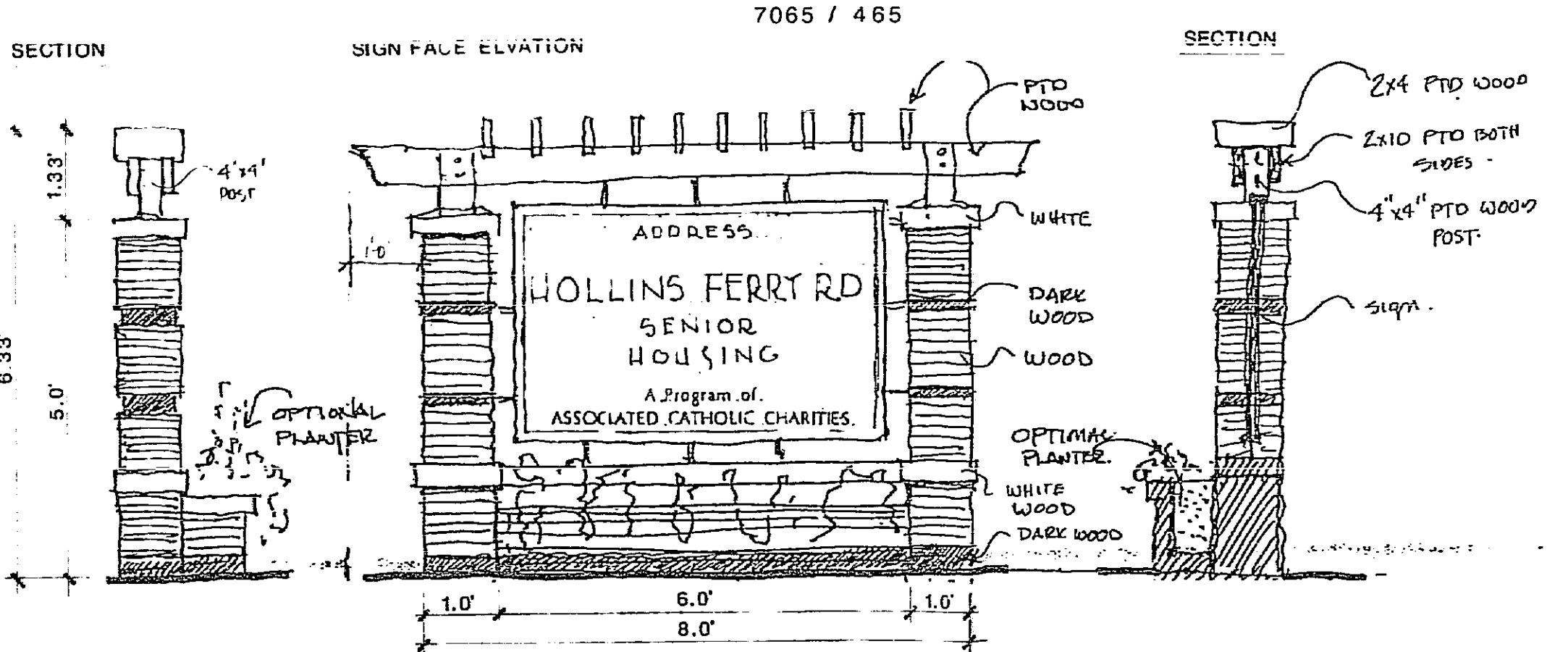
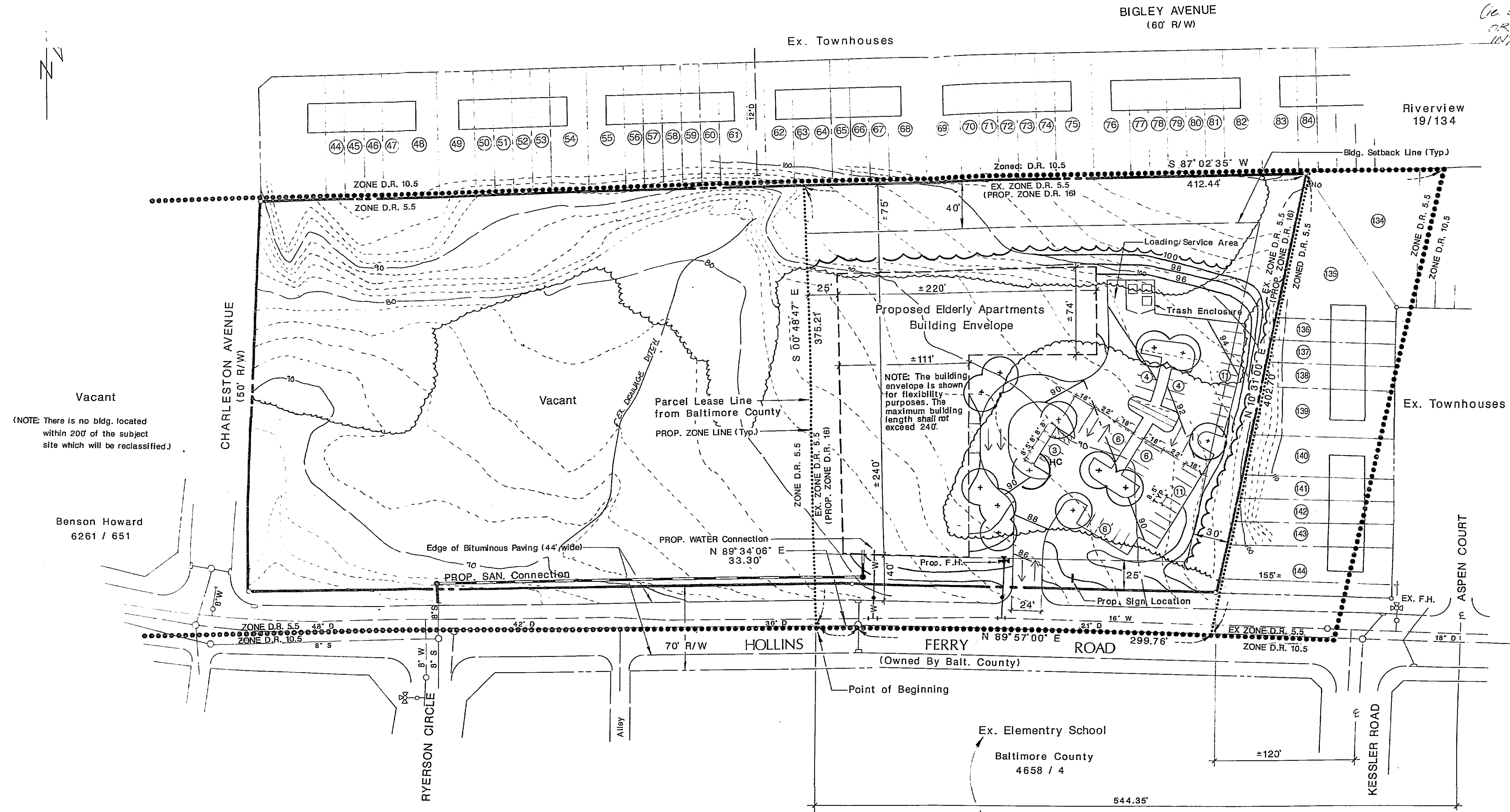
TRW	Jan 10, 1995
PCR	1-1-95

Documented Plan to Accompany Reclassification Petition and Variance

Hollins Ferry Road Senior Housing
Baltimore County, Maryland

DRAWING NO.
61-1070

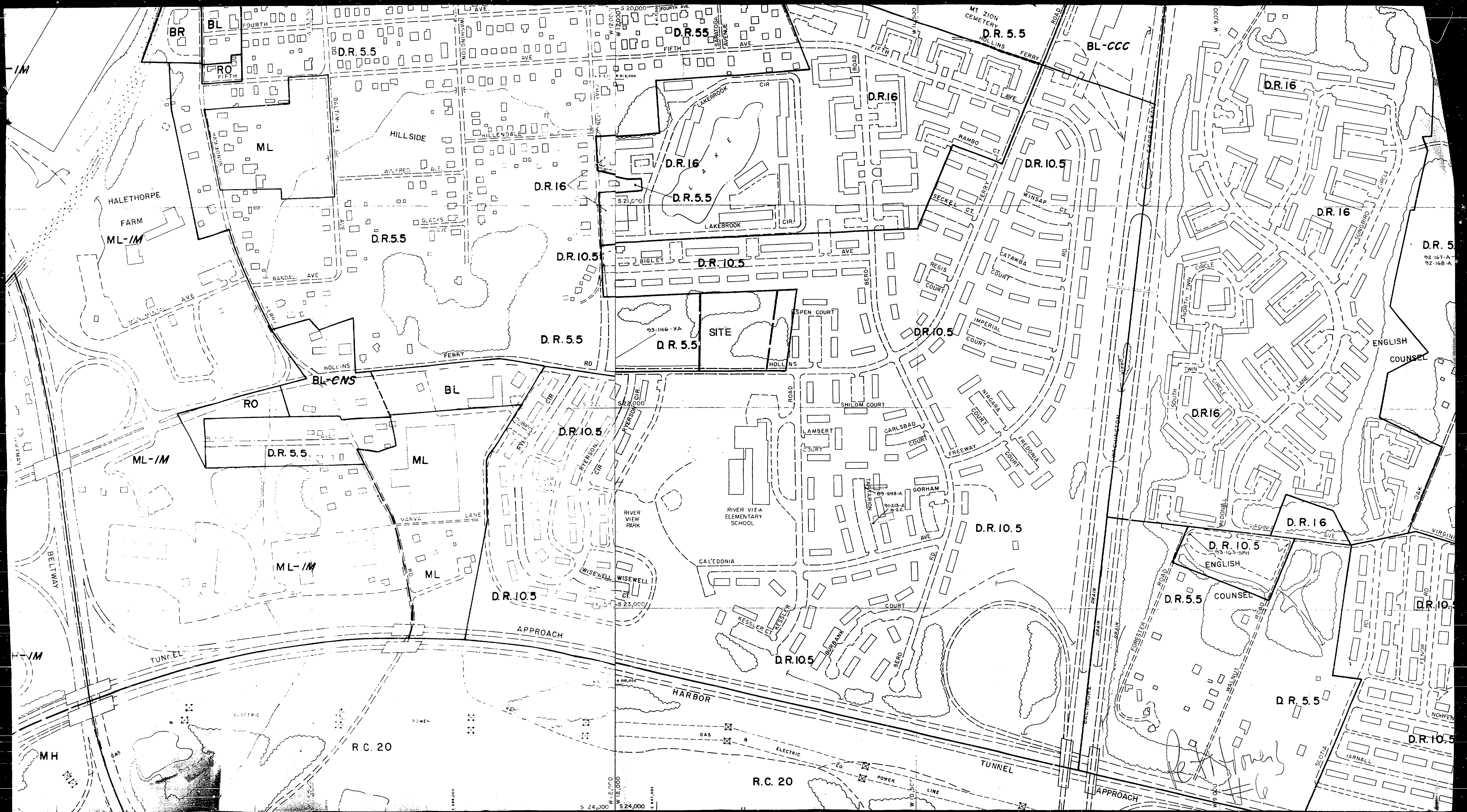
SHEET NO.
1 of 2



SIGN NOTES:

- SIGN SHALL BE DOUBLE-FACED.
- SIGN SHALL BE GROUND-LIT.
- SIGN AREA EACH SIDE: 8.0' x 6.33' = 50.64 SQUARE FEET
- TOTAL AREA OF SIGN (INCLUDES BOTH SIDES): 2 x 50.64' = 101.28 SQUARE FEET
- THIS DETAIL REPRESENTS A CONCEPT ON WHICH MINOR CHANGES MAY OCCUR. THE MATERIALS TO BE UTILIZED MAY BE SOME COMBINATION OF MATERIALS SHOWN ON THIS DETAIL. THE ULTIMATE SIGN AREA SHALL NOT EXCEED WHAT IS SHOWN ON THIS DETAIL.

Sign Detail
SCALE: 1" = 2'-0"



BALTIMORE COUNTY ZONING MAP

Hollins Ferry Road Senior Housing

Baltimore County Zoning Map S. Wa 6-B & C

so order.

ORDER

ACCORDINGLY, IT IS this 15th day of March, 1996 by the
County Board of Appeals of Baltimore County

ORDERED that the Petition for Reclassification from D.R. 5.5
to D.R. 16 be and is hereby GRANTED; and it is further

ORDERED that the Petition for Variance to permit a ground-
mounted double-faced sign, a total of 101.28 square feet, in lieu
of the permitted 1 square foot, be and is hereby GRANTED.

Any petition for judicial review from this decision must be
made in accordance with Rules 7-201 through 7-210 of the Maryland
Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Robert O. Schuetz
Robert O. Schuetz, Chairman

Harry E. Buchheister, Jr.
Harry E. Buchheister, Jr.

S. Diane Levero
S. Diane Levero



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

March 15, 1996

Robert A. Hoffman, Esquire
VENABLE, BAETJER & HOWARD, LLP
210 Allegheny Avenue
Towson, MD 21204

RE: Case No. CR-96-270-A
Hollins Ferry Senior Housing Ltd.
Partnership /Associated Catholic Charities

Dear Mr. Hoffman:

Enclosed please find a copy of the final Opinion and Order
issued this date by the County Board of Appeals of Baltimore County
in the subject matter.

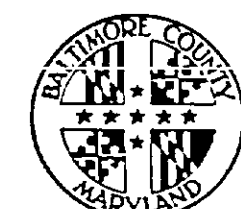
Any petition for judicial review from this decision must
be made in accordance with Rule 7-201 through Rule 7-210 of the
Maryland Rules and Procedure. If no such petition is filed within
30 days from the date of the enclosed Order, the subject file will
be closed.

Very truly yours,
Charles E. Bianco
Kathleen C. Bianco
Administrative Assistant

Enclosure

cc: Dale McArdle, Vice President
Hollins Ferry Senior Housing Ltd. Partnership
STV, Inc.
James Earl Kraft
People's Counsel for Baltimore County
Pat Keller
Jeffrey Long
Lawrence E. Schmidt
W. Carl Richards /PDM
Docket Clerk /PDM
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

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on Recycled Paper



CR-96-270-A
Petition for Reclassification
to the Board of Appeals of Baltimore County
for the Property at 210 West of Aspen Court

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and
made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law
of Baltimore County, from an D.R. 5.5 zone to an D.R. 16 zone, for the reasons
given in the attached and (2) for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for:

and (3) for the reasons given in the attached statement a variance from the following sections of the Zoning Regulations of Baltimore County:
Variance from Sections 413.1 and 413.2 to allow a ground mounted,
double faced sign a total of 101.28 square feet (50.64 s.f. each side)
in lieu of the permitted one square foot.

Property is to be posted and advertised as prescribed by Zoning Regulations.
1. or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to
and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee: Hollins Ferry Road
Senior Housing Limited Partnership
(Type or Print Name)
By: *Dale McArdle*
Signature: Dale McArdle, Vice President
c/o Associated Catholic Charities
Address: 320 Cathedral Street
Baltimore, Maryland 21201
City State Zip Code

Attorney for Petitioner:
Robert A. Hoffman, Esquire
(Type or Print Name)

Signature: Venable, Baetjer & Howard, LLP
Address: 210 Allegheny Avenue
Towson, Maryland 21204
City State Zip Code

Office Use Only
ESTIMATED LENGTH OF HEARING
unavailable for hearing the following dates
Next TWO Months
ALL OTHER
REVIEWED BY: DATE

CR-96-270-A

STV Incorporated
21 Governor's Court
Baltimore, Maryland 21244-2722
(410) 344-9112 Fax: (410) 288-2784

ZONING DESCRIPTION FOR
RECLASSIFICATION AND VARIANCE OF 3.288 ACRES AT
LANDSDOWNE ELDERLY APARTMENTS
ELECTION DISTRICT NO. 13, C1
BALTIMORE COUNTY, MARYLAND

BEGINNING at a point in the centerline of Hollins Ferry Road (70 feet wide), being distant the two
following courses and distances from that point formed with the intersection of the centerline of
Aspen Court (112.86 feet wide); South 89°57'00" West 511.05 feet, thence by a curve to the left
having a radius of 2,500.00 feet, an arc length of 33.30 feet, said curve being subtended by a chord
bearing South 89°34'06" West 33.30 feet to the true POINT OF BEGINNING, thence along said
centerline of Hollins Ferry Road, the two following courses and distances:

1. By a curve to the right having a radius of 2,500.00 feet, an arc length of 33.30 feet, said curve
being subtended by a chord bearing North 89°34'06" East 33.30 feet to a point, and,
2. North 89°57'00" East 299.76 feet to a point, thence leaving the centerline of Hollins Ferry
Road and running,
3. North 10°31'00" East 402.70 feet to a point, thence,
4. South 87°02'35" West 412.44 feet to a point, thence,
5. South 00°48'47" East 375.21 feet to the point of beginning, which the herein-described is a
portion of that same tract of land as recorded in Deed Liber E.H.K., Jr. 5802, Folio 190.

BEING part of that same tract of land as shown on Baltimore County Bureau of Land Acquisition
Drawing Nos. R-207-1 and R-207-2, containing 143,204 square feet or 3.288 acres of land.

Actual gross area of site is 3.25 acres of land, more or less, which does not include 5 feet of the road
area (gross area can only include 30 feet of right-of-way).

Mark A. Riddle
STV INCORPORATED
Mark A. Riddle
MD Professional Land Surveyor No. 10899
January 22, 1996

Engineers, Architects, Planners, Construction Managers

CERTIFICATE OF PUBLICATION

TOWSON, MD., 2/16, 1996

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on Feb. 15, 1996

THE JEFFERSONIAN,
A. Henrichson
LEGAL AD. - TOWSON

NOTICE OF HEARING
Case CR-96-270-A
N/S Hollins Ferry Road, 510' E
of Charleston Avenue
13th Election District
1st Councilmanic
Legal Owner: Baltimore County, Maryland
Contract Purchaser: Hollins Ferry Senior Housing
Limited Partnership
Reclassification of prop-
erty's zoning from D.R. 5.5 to
D.R. 16. Variance to allow a
ground mounted, double-
faced sign a total of 101.28
square feet in lieu of the per-
mitted 1 square foot.
Hearing: Thursday, March 7,
1996 at 10:00 a.m. in Room 48,
Old Courthouse, 400 Wash-
ington Avenue, Towson,
Maryland.
Robert O. Schuetz, Chairman
County Board of Appeals
2/16/96 C1509

TO: PUTUMENT PUBLISHING COMPANY
February 15, 1996 Issue - Jeffersonian

Please forward billing to:

Robert A. Hoffman, Esq.
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, MD 21204
494-6200

NOTICE OF HEARING

CASE NUMBER: CR-96-270-A
N/S Hollins Ferry Road, 510' E of Charleston Avenue
13th Election District - 1st Councilmanic
Legal Owner: Baltimore County, Maryland
Contract Purchaser: Hollins Ferry Senior Housing Limited Partnership

Reclassification of property's zoning from D.R. 5-5 to D.R.-16.
Variance to allow a ground mounted double-faced sign a total of 101.28
square feet in lieu of the permitted 1 square foot.

HEARING: THURSDAY, MARCH 7, 1996 at 10:00 a.m. in Room 48, Old Courthouse,
400 Washington Avenue, Towson, Maryland.

ROBERT O. SCHUETZ, CHAIRMAN
COUNTY BOARD OF APPEALS



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

February 5, 1996

NOTICE OF HEARING

CASE NUMBER: CR-96-270-A
N/S Hollins Ferry Road, 510' E of Charleston Avenue
13th Election District - 1st Councilmanic
Legal Owner: Baltimore County, Maryland
Contract Purchaser: Hollins Ferry Senior Housing Limited Partnership

Reclassification of property's zoning from D.R. 5-5 to D.R.-16.
Variance to allow a ground mounted double-faced sign a total of 101.28
square feet in lieu of the permitted 1 square foot.

HEARING: THURSDAY, MARCH 7, 1996 at 10:00 a.m. in Room 48, Old Courthouse,
400 Washington Avenue, Towson, Maryland.

Robert O. Schuetz
ROBERT O. SCHUETZ, CHAIRMAN
COUNTY BOARD OF APPEALS

cc: Office of Law
Hollins Ferry Road Senior Housing Ltd. Part.
Robert A. Hoffman, Esq.

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on Recycled Paper



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

February 5, 1996

NOTICE OF HEARING

CASE NUMBER: CR-96-270-A
N/S Hollins Ferry Road, 510' E of Charleston Avenue
13th Election District - 1st Councilmanic
Legal Owner: Baltimore County, Maryland
Contract Purchaser: Hollins Ferry Senior Housing Limited Partnership

Reclassification of property's zoning from D.R. 5-5 to D.R.-16.
Variance to allow a ground mounted double-faced sign a total of 101.28
square feet in lieu of the permitted 1 square foot.

HEARING: THURSDAY, MARCH 7, 1996 at 10:00 a.m. in Room 48, Old Courthouse,
400 Washington Avenue, Towson, Maryland.

Robert O. Schuetz
ROBERT O. SCHUETZ, CHAIRMAN
COUNTY BOARD OF APPEALS

cc: Office of Law
Hollins Ferry Road Senior Housing Ltd. Part.
Robert A. Hoffman, Esq.

3/07/96 -Hearing before the Board. (R.B.M.) Deliberated at conclusion of
case. Petition for Reclassification and Petition for Variance GRANTED.
Written Opinion /Order to be issued. Appellate period to run from
date of that written Order.

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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 29, 1996

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, Maryland 21204

RE: Item No.: 23;
Case No.: CR-96-270-A
Petitioner: Baltimore County

Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 25, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Feb. 5, 1996
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for February 5, 1996
Item 284 (Case No. CR-96-270-A)

The Development Plans Review Division has reviewed the subject zoning items. The existing 8-inch public sewer should be extended in the Hollins Ferry Road right-of-way beyond the edge of the paving to the proposed site.

RWB:sw



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kaseoff
Administrator

2-5-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 284
CASE NO. CR-96-270-A

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 01/31/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: BALTIMORE COUNTY, MARYLAND

LOCATION: N/S HOLLINS FERRY RD., 510' E OF CHARLSTON AVE.

Item No.: 284

Zoning Agenda: VARIANCE

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

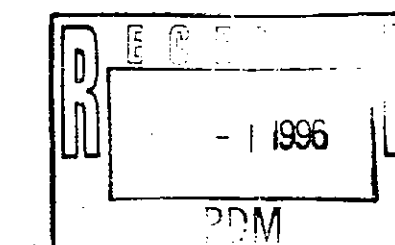
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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on Recycled Paper



COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
LEGISLATIVE SESSION 1996, LEGISLATIVE DAY NO. 2

RESOLUTION NO. 5-96

MR. S. G. SAMUEL MOXLEY, COUNCILMAN

BY THE COUNTY COUNCIL, JANUARY 16, 1996

A RESOLUTION of the Baltimore County Council to approve the Planning Board's certification that the zoning reclassification petition filed by Associated Catholic Charities, Inc., Contract Purchaser, for the property located on the north side of Hollins Ferry Road west of Aspen Court and situated in the First Councilmanic District, should be exempted from the regular cyclical procedure of Section 2-356(c) through (h), inclusive, of the Baltimore County Code, 1988, as amended.

WHEREAS, the Planning Board, by Resolution dated January 4, 1996, has certified that early action on the Petition for Zoning Reclassification filed by Associated Catholic Charities, Inc., Contract Purchaser, requesting a reclassification of the above described property, is manifestly required in the public interest or because of emergency; and

WHEREAS, the County Council of Baltimore County, in accordance with the provisions of Section 2-356(l), may approve said certification and exempt the Petition for Zoning

Reclassification from the regular procedures of Section 2-356.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the certification by the Planning Board that early action on the zoning reclassification petition filed by Associated Catholic Charities, Inc., Contract Purchaser, be and the same is hereby approved; and

BE IT FURTHER RESOLVED, that the Board of Appeals shall schedule a public hearing on said Petition in accordance with Section 2-356(l) of the Baltimore County Code.

ZONING ADVISORY COMMITTEE AGENDA
ROOM 301, COUNTY OFFICE BUILDING
DISTRIBUTION MEETING OF FEBRUARY 5, 1996

\$ Distributed at Meeting
* Agenda Only
+ Agenda and Petition
& Agenda and Plat
Agenda, Petition and Plat

Distribution:

- * Zoning Commissioner's Office (Lawrence Schmidt); MS #2112
- # PDM, Zoning Review H.O. Hearing File (Gwendolyn Stephens)
- * PDM, Zoning Review Work File (Joyce Watson)
- * PDM, Project Management (David Flowers)
- * PDM, Project Management (Kurt Kugelberg)
- * PDM, Code Enforcement (Helene Kahring)
- * PDM, Zoning Review (John Alexander)
- * PDM, Development Plans Review (Dennis A. Kennedy)
- * Planning Office Director (Pat Keller)
- * Planning Office (Jeffrey Long)
- * Recreation and Parks (Ronald Schaeffer); MS #52
- # DEPRM (Larry Pilson) - 2 plats
- & DEPRM, Air Quality Management (Dave Filbert); MS #3404
- * State Highway Administration, Access Permits Division (David N. Ramsey)
- & PDM, Building Plans Review (Lt. Robert Sauerwald); MS #1102F
- * PDM, Building Plans Review (Dick Seim)
- * Economic Development Commission, Business Develop. (Susan Brennan); MS #2M07
- * Highways (Richard Cox); MS #1003
- * Community Development (Amy Johanson); MS #1102M
- + People's Counsel (Peter Zimmerman); MS #2010
- # IF CRITICAL AREA, Maryland Office of Planning (Bill Carroll)
- # IF ELDERLY HOUSING, Community Development; MS #1102M

The attached information is being forwarded to you for comment. Your comments should reflect any conflicts with your office or department's code, standards or regulations. Development representatives that attend the meeting should be prepared to submit their agency's response as either "no comment", "written comment" or "more review time required" before the hearing date. If no written response is received by the committee before this hearing date, it is assumed that your agency has "no comment". All written comments must reference the ZAC item number. All comments received will be compiled and included in the zoning/development file for review and consideration by the hearing officer during the course of the upcoming zoning/development hearing.

If your agency or section is not represented at the meeting, you should return your written comments to the Department of Permits and Development Management (PDM), Room 111, County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204 (Mail Stop #1105), Attention: Joyce Watson. If you have any questions regarding these zoning petitions, please contact either Sophia Jennings or Carl Richards at 887-3391 (FAX - 887-5708).

Revised 11/1/95

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: January 29, 1996

TO: Baltimore County Zoning Plans Advisory Committee

FROM: W. Carl Richards, Jr.
Zoning Supervisor (887-3391)

SUBJECT: Out-of-Cycle Documented Zoning Reclassification Petition
Case Number: CR-96-270-A
Legal Owner: Baltimore County, Maryland
Contract Purchaser: Hollins Ferry Road Senior Housing Limited
Partnership (c/o Associated Catholic Charities)
Description: N/S Hollins Ferry Road, 510' E of Charleston Avenue
13th Election District; 1st Councilmanic District

THE ABOVE REFERENCED PETITION HAS BEEN EXEMPTED FROM THE REGULAR CYCLICAL BI-YEARLY ZONING RECLASSIFICATION PROCEDURE BY CERTIFICATION OF THE BALTIMORE COUNTY PLANNING BOARD ON JANUARY 4, 1996 AND BY RESOLUTION #5-96 OF THE BALTIMORE COUNTY COUNCIL DATED JANUARY 16, 1996 (ATTACHED). PURSUANT TO SECTION 2-356(l) OF THE BALTIMORE COUNTY CODE, THE COUNTY BOARD OF APPEALS HAS SET A VERY EARLY HEARING DATE OF MARCH 7, 1996. YOU ARE REQUESTED TO EXPEDITE YOUR REVIEW AND FORWARD YOUR COMMENTS TO THIS OFFICE UNDER THE ABOVE REFERENCE PRIOR TO THE HEARING DATE. IF YOU SHOULD NEED ADDITIONAL MATERIALS TO COMPLETE YOUR COMMENTS, YOU SHOULD CONTACT THE ENGINEER, ATTORNEY, OR MYSELF IMMEDIATELY.

WCR:sdj
Revised 11/1/95

ZONING ADVISORY COMMITTEE
MEETING OF FEBRUARY 5, 1996

Case Number: CR-96-270-A
Item Number: 284
Legal Owner: Baltimore County, Maryland
Contract Purchaser: Hollins Ferry Road Senior Housing Limited
Partnership (c/o Associated Catholic Charities)
Location: N/S Hollins Ferry Road, 510' E of Charleston Avenue
Existing Zoning: D.R.-5.5
Proposed Zoning: D.R.-16. Variance to allow a ground mounted, double-faced sign a total of 101.28 square feet in lieu of the permitted 1 square foot.
Area: 3.288 Acres
District: 13th Election District
1st Councilmanic District

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

MINUTES OF DELIBERATION

IN THE MATTER OF: Hollins Ferry Senior Housing Ltd. Partnership
(c/o Associated Catholic Charities) /Contract
Purchaser; Baltimore County, MD /Legal Owner
Case No. CR-96-270-A

DATE : March 7, 1996 @ 1:00 p.m.

BOARD /PANEL : Robert O. Schuetz, Chairman (ROS)
Harry E. Buchheister, Jr. (HB)
S. Diane Levers (SDL)

SECRETARY : Kathleen C. Bianco
Administrative Assistant

Those present included Robert A. Hoffman, Esquire, on behalf of Petitioner, and Carole S. Demilio, Deputy People's Counsel for Baltimore County.

PURPOSE --to deliberate issues in Case No. CR-96-270-A, petition for reclassification; petition for variance. Testimony and evidence received March 7, 1996.

ROS: Good afternoon, ladies and gentlemen. We are here on Case No. CR-96-270-A. The purpose is to deliberate the matter before the Board and to indicate the Board's compliance with the open meetings law. Before the Board is an out of cycle reclassification for a site on Hollins Ferry Road, and the petition is to reclassify from existing D.R. 5.5 to D.R. 16, as evidenced by Petitioner's Exhibit 2, the Documented Site Plan.

The site is surrounded immediately to the north, east and south with D.R. 10.5 zoned properties, and immediately to the west by unimproved D.R. 5.5 piece of property. Other areas to the north are D.R. 16, rather substantial in area, and further east and south are the Baltimore Washington Parkway and Harbor Tunnel Thruway, respectively.

We've had a lot of evidence brought and testimony provided by various witnesses concerning the obvious need for elderly housing in the area, and I think Petitioner's counsel aptly brought to the Board's attention the case of *People's Counsel v. A.V. Williams*, 45 Md. App. 617 (1980), discussing the burden of overcoming the presumption of the County Council as part of the last comprehensive zoning map process. I find that the Council erred in its zoning classification, and I believe that it failed to take into consideration the lack of available properties in the Lansdowne /Baltimore Highlands area to accommodate the need for senior housing, and, in fact,

Minutes of Deliberation /Hollins Ferry Senior Housing Ltd. Partnership, CP; Baltimore County, Owner /CR-96-270-A

I would go so far as to state that this site is known to be one of only one or two in the entire area which would be suitable for such a project, and therefore I would consider it to be a gross oversight on the part of the Council, and therefore would find it to be an error. We are only half-way home at this point. The issue now is whether the proposed classification is warranted.

The Board has a litany of issues to be addressed as part of the reclassification; the Board must address each of the issues, pursuant to Section 2-356(j)(2), and without going through each of them, I would concur frankly with each of the findings brought by the competent testimony of Ms. Whittle, as well as Mr. Cornelius. I will go on to state for the purpose of this deliberation that I thought that Ms. Whittle was -- should know that this member understands that the profession of landscape architecture and architecture in general does deal with research in sociology and psychology.

For the above reasons, I find that the Council did indeed err in the D.R. 5.5 zoning classification in not noting the then obvious need for projects such as this, and sites available to accommodate such projects, as well as the obvious trend of the aging of the population in the Lansdowne /Baltimore Highlands area, and the two combined made for a very difficult situation for projects like what is proposed by the Associated Catholic Charities to proceed. I also find that for all the information brought by Ms. Whittle and Mr. Cornelius that the proposed reclassification is warranted.

The sign issue, of course, we have to get by the tests under BCZR 307.1. For all of the reasons that I stated earlier, we have a unique property relative to the rest of the community. The site itself lends itself to a great degree of uniqueness, and when one considers the documented site plan and the proposed use coupled with the tremendous need, I would find that the unique test has been met. The second test, being strict compliance with the BCR would result in practical difficulty or unreasonable hardship, and so, I would find that strict compliance with sign would in no way serve the population of the Associated Catholic Charities for this particular project, and that what is proposed, frankly, is a necessary ingredient for such a project, and that the general health, safety and welfare of the occupants, as well as the surrounding community, is preserved and looked after when such a proposal is brought; emergency vehicles, fire, safety, and so forth are brought into consideration. I would also grant the variance.

2

Minutes of Deliberation /Hollins Ferry Senior Housing Ltd. Partnership, CP; Baltimore County, Owner /CR-96-270-A

SDL: I think the Petitioner has presented substantial uncontroverted evidence to satisfy section 2-356(j). The last classification of the property was in error in that the County Council failed to recognize population trends -- aging population and need for housing for moderate income. Mr. McArdle was in search for suitable property; undeveloped land is scarce; only feasible property. There was prompt approval of reclassification out of cycle to compete for state funding. I would grant the petition for reclassification.

Regarding the Petition for Variance, Section 307.1 requirements have been satisfied that a larger sign is needed due to uniqueness of proposed structure requiring identification.

HEB: I think that Mr. McArdle's testimony was very interesting and enlightening, and Associated Catholic Charities very thoroughly studies and prepares these most worthwhile projects to meet needs for affordable housing in the metropolitan area. It is a fact that there is competition from other organizations for public funding -- this fact that there is this competition for funding from State and Federal government by unexpected deadlines, as in this case, April, is understandable for this out of cycle reclassification.

The interoffice correspondence from Mr. Keller stressing worthiness of this project and the testimony of Mr. Fields and Ms. Johansen was very persuasive that the County is endeavoring to anticipate problems and needs of older communities; willingness of the County to lease the site for the project and at the same time purchase nearby land for a park to take the place of the park land that is being removed -- the site actually has been a public park -- shows serious intention of the County in trying to work with the communities. Regarding the 1992 comprehensive maps and failure of the County Council to rezone their publicly-owned property, I call this error or oversight, reasonably understandable, even though from Mr. Fields' testimony, concerns for elderly affordable housing and stability of neighborhoods has been ongoing priority.

As People's Counsel pointed out, the County has to treat affordable housing on a case by case situation as they arise, and the County Council could not be changing a potential property's zoning years in advance, although such a site may be seen as a future location for such a project as we have with the Catholic Charities.

Mr. Long's testimony as to uniqueness of documented plan

3

Minutes of Deliberation /Hollins Ferry Senior Housing Ltd. Partnership, CP; Baltimore County, Owner /CR-96-270-A

warranted a 100 sq. ft. double faced sign to readily identify the housing for the elderly and this is persuasive in the granting of the requested variance for the sign. I think Ms. Lowery, as you heard her say, how they have been looking for years for something for their community such as this project will provide, and they are most anxious for this to commence, and I believe that the reclassification from D.R. 5.5 to D.R. 16 should be granted.

ROS: We are unanimous. The Board will issue a written Opinion and Order subsequent to these proceedings. Any petition for judicial review will be from the date of that written Order.

Respectfully submitted,

Kathleen C. Bianco
Kathleen C. Bianco
Administrative Assistant

4

CR-96-270-A

Environmental Impact Statement

NOTE:

The following information refers to the portion of the property which is being considered for rezoning. This portion of property will be referred to as "site." The term "parcel" shall be used when reference is made to the entire property which will include the area East of the "site" as shown on the Baltimore County Tax Map.

EXISTING CONDITIONS

- The "site" is currently vacant and consists of 3.017 Acres.
- Approximately 53% (1.6 Acres) of the "site" is wooded.
- The soils on the "site" consist of "Sg" (Sand and gravel pits) according to the Baltimore County Soil Survey.
- Slopes on the site range from 3 - 40%. The steep slopes are limited to the Eastern edge of the "site" and the wooded area located on the North side of the "site." The site slopes to the SW corner.
- The site is not located in a floodplain
- The site is not located in the Chesapeake Bay Critical Area.
- There are no existing structures located on the "site."
- An existing townhouse development adjoins the "site" on the North and East sides. Hollins Ferry Road adjoins the site on the South side. The remainder of the "parcel" which is currently vacant adjoins the "site" on the West side.
- Water and sanitary connections needed to service the proposed development shall be made at the existing utility mains located in Hollins Ferry Road.

- Detailed Description of the proposed action including information and technical data adequate to permit a careful assessment of the environmental impact.

- The proposed use for the property shall be elderly apartment housing.
- Approximately 51 parking spaces are proposed for the development.
- Stormwater shall be managed in a proposed stormwater management facility to accommodate the proposed development. This stormwater management facility shall meet Baltimore County Stormwater Design Criteria for both quantity and quality management. The actual location and type of facility proposed will be determined at a later date.
- Proposed landscaping shall be installed according to the requirements of the Baltimore County Landscape Manual.
- Forest Conservation shall be addressed for the proposed development to meet Baltimore County Requirements.
- Grading proposed for the development shall minimize land disturbance wherever possible.

- Discussion of the probable impact on the environment, including any impact on ecological systems and any direct or indirect consequence that may result from the action.

The impacts on the environment which would result from the proposed development include the removal of a portion of the wooded area on the "site." The proposed development will maintain the existing wooded area along the North and East property lines which will provide a vegetative buffer between the development and the existing uses adjoining the "site." This wooded area is contiguous to the wooded area which presently exists on the remainder of the "parcel." located West of the "site." The proposed stormwater management facility will manage any increase in impervious area proposed as part of this development.

- Any adverse environmental effects that cannot be avoided.

The removal of wooded area on the "site" is required to accommodate the proposed development. As shown on the site plan, the amount of open space available for development is limited on the "site." Wooded area will be retained wherever possible and forest conservation regulations will be followed.

- Alternatives to the proposed action that might avoid some or all of the adverse environmental effects, including analysis of cost and environmental impact of these alternatives

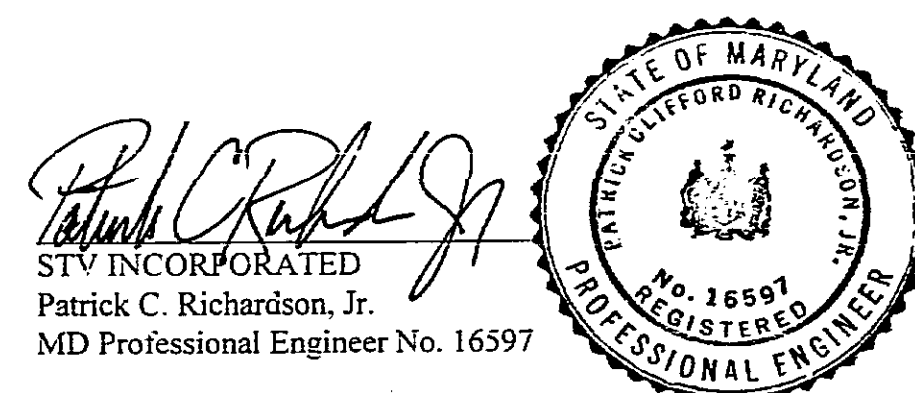
The alternative of "no development" would eliminate any adverse environmental effects to the site. However, this type of use is needed in this portion of Baltimore County. The proposed use would be compatible to the existing townhouse uses which already exist in the adjoining areas as well as its location near an existing elementary school which would provide potential opportunities for the youth and elderly residents to interact in community activities.

- An assessment of the cumulative, long-term effects of the proposed action including its relationship to short-term use of the environment versus the environment's long-term productivity.

The proposed stormwater management facility proposed for the development would provide an additional water source for any wildlife in the surrounding area. Proposed tree plantings which will be installed as part of the development will also provide a habitat for any wildlife in the area. These long-term benefits will outweigh the short-term disturbance of land due to the removal of a portion of the wooded area.

- Any irreversible or irretrievable commitment of resources that might result from the action or which would curtail beneficial use of the environment.

There are no known irreversible or irretrievable commitment of resources that would result from the proposed development. Public water and sanitary services are available to the site which would eliminate the need for any well or septic areas which would contaminate the groundwater.



January 22, 1996

LEGISLATIVE #3

BALTIMORE COUNTY COUNCIL AGENDA
LEGISLATIVE SESSION 1996, LEGISLATIVE DAY NO. 2
JANUARY 16, 1996 7:30 P.M.

- MOMENT OF SILENT MEDITATION
PLEDGE OF ALLEGIANCE TO THE FLAG
- APPROVAL OF JOURNAL - Meeting of January 2, 1996
- ENROLLMENT OF BILLS - 211-95, 212-95, 213-95 & 214-95
- INTRODUCTION OF BILLS
BILL 15-96 - Mr. Kamencetz (By Req.) - CEB - Court Advocate Grant Program
BILL 16-96 - Mr. Kamencetz (By Req.) - CEB - Rosewood Rental Allowance Program
BILL 17-96 - Mr. Kamencetz (By Req.) - CEB - Rental Allowance Program
BILL 18-96 - Mr. Kamencetz (By Req.) - CEB - Job Training Partnership Act Fund
BILL 19-96 - Mr. Kamencetz (By Req.) - CEB - JTPA - Title III EDWAA
BILL 20-96 - Mr. Kamencetz (By Req.) - CEB - JTPA - State Allowance Program
BILL 21-96 - Mr. DePizzo - Zoning Regs. - Commercial Recreational Facilities
BILL 22-96 - Mr. Kamencetz (By Req.) - CEB - Bootcamp Planning Initiative
- CALL OF BILLS FOR FINAL READING AND VOTE
BILL 216-95 - All Councilmembers - Basic Services Maps
BILL 217-95 - Mr. Gardina (By Req.) - CEB - Awards/Donations
- APPROVAL OF FISCAL MATTERS
1. Agreement - Slottier Slugg & Associates, Inc. - Southwest Area Park
2. Contract - McCrone, Inc. - Geodetic Control, etc. - Geographic Information System
3. Contract - Dail-McCune-Walker, Inc. - Townson Streetscape
4. BAT 96-4C - Public Works - Central Building Maintenance Facility
5. Contract of Site - McCormick & Company - Hunt Valley Office Building Project
- MISCELLANEOUS BUSINESS
1. Correspondence
W/DRAWN 2-Res-83-95-Mr. Gardina (By Req.)-911-System/Additional Charge
3. Res. 4-96 - Mr. Kamencetz (By Req.) - Accept Gift from State Dept. of Defense
4. Res. 5-96 - Mr. Moxley - Out of Cycle Zoning Reclassification - Associated Catholic Charities, Inc.

James H. Haring
Date - 3/10/96
Signature for Petitioner

BALTIMORE COUNTY COUNCIL AGENDA
LEGISLATIVE SESSION 1996, LEGISLATIVE DAY NO. 2
JANUARY 16, 1996 7:30 P.M.

- A. MOMENT OF SILENT MEDITATION
PLEDGE OF ALLEGIANCE TO THE FLAG
- B. APPROVAL OF JOURNAL - Meeting of January 2, 1996
- C. ENROLLMENT OF BILLS - 211-95, 212-95, 213-95 & 214-95

- D. INTRODUCTION OF BILLS
BILL 15-96 - Mr. Kamenez(BY Req.) - CEB - Court Advocate Grant Program
BILL 16-96 - Mr. Kamenez(BY Req.) - CEB - Rosewood Rental Allowance Program
BILL 17-96 - Mr. Kamenez(BY Req.) - CEB - Rental Allowance Program
BILL 18-96 - Mr. Kamenez(BY Req.) - CEB - Job Training Partnership Act Fund
BILL 19-96 - Mr. Kamenez(BY Req.) - CEB - JTPA - Title III EDWAA
BILL 20-96 - Mr. Kamenez(BY Req.) - CEB - JTPA - State Allowance Program
BILL 21-96 - Mr. DePuzzo - Zoning Regs. - Commercial Recreational Facilities
BILL 22-96 - Mr. Kamenez(BY Req.) - CEB - Bootcamp Planning Initiative
BILL 23-96 - Mr. Kamenez(BY Req.) - CEB - Storm Emergencies

- E. CALL OF BILLS FOR FINAL READING AND VOTE
RES. 216-95 - All Councilmembers - Basic Services Maps
PAM - BILL 217-95 - Mr. Gardina(BY Req.) - CEB - Awards/Donations

- F. APPROVAL OF FISCAL MATTERS
1. Agreement - Stotler Slagg & Associates, Inc. - Southwest Area Park
2. Contract - McCrone, Inc. - Geodetic Control, etc. - Geographic Information System
3. Contract - Daft-McCune-Walker, Inc. - Towns Streetcape
4. BAT 96-4C - Public Works - Central Building Maintenance Facility
5. Contract of Sale - McCormick & Company - Hunt Valley Office Building Project

- G. MISCELLANEOUS BUSINESS
1. Correspondence
WDRAWN 2 - Res. 83-95 - Mr. Gardina(BY Req.) - 911 System Additional Charge
RES. 216-95 - Mr. Kamenez(BY Req.) - Accept Gift from State Dept. of Defense
RES. 217-95 - Mr. Moxley - Out of Cycle Zoning Reclassification - Associated Catholic Charities, Inc.

BALTIMORE COUNTY BOARD OF APPEALS
GUIDE FOR PREPARATION OF RECLASSIFICATION PETITIONS

Each petition request should include:

- Three completed typewritten petition forms, indicating the existing and requested zoning; the special exception use, if applicable; and if applicable, the section number of the Baltimore County Zoning Regulations from which a variance is requested, as well as the nature and extent of the variance requested. All forms must be signed (original signature and title, if applicable; xerox copies are unacceptable) by the petitioner or his legally authorized representative. For persons signing in place of the legal owner, an authorization letter or copy of the power of attorney is required at the time of petition filing.
 - Four copies of the property description (saving and excepting all adjacent areas of public right-of-ways) FOR THE AREA OF RECLASSIFICATION ONLY, prepared and sealed by a surveyor or civil engineer. (See #4 of the reclassification checklist for sites where additional hearings are requested.)
 - Four copies of a brief or an explanation of the reasons why, in the petitioner's opinion, the reclassification sought should be made, set forth in sufficient detail to properly advise the county authorities required to review the petition of the petitioner's case. Any allegation of change in conditions as justification for the action sought shall be supported in the petition by precise description of such change, and any allegation of error shall be so supported in similar detail and as further required by Section 2-356(j) of the Baltimore County Code. If the petition filed is not a documented conditional use request, then this brief cannot document a proposed use without filing a complete documented petition.
 - Four xerox copies each of that part of the appropriate official 1" = 200' and 1" = 1,000' scale zoning maps, with the outline of the property to be reclassified indicated thereon.
- The appropriate filing fee and posting fee should accompany the petition request. However, the advertising should be paid as soon after billing as possible. Opinions may not be issued until all such costs are paid.
- Twelve copies of a site plan (14 copies if in the critical area), the boundaries and location of which have been certified (sealed) by a registered surveyor or professional (civil) engineer. Said site plan shall include all applicable items on the attached checklist for reclassification petitions.

BALTIMORE COUNTY BOARD OF APPEALS
GUIDE FOR PREPARATION OF RECLASSIFICATION PETITIONS
PAGE 2

- DOCUMENTED -- If said petition includes a "documentation" which identifies a proposed use and development of the property, that documentation must include the following information:
 - Three copies of an environmental impact statement (5 copies if in critical area), as defined in Section 101 of the Baltimore County Zoning Regulations, that concerns the proposed use of the property under petition and that has been completely prepared and certified (sealed) by a professional engineer or planner of appropriate qualifications.
 - All information (items 1-22) on the following checklist.
 - If a precise building envelope is used in lieu of the exact positioning of the building(s) on the site plan, the proposed buildings' floor plan and elevation, including character and exterior materials, must be shown elsewhere on the site plan or on attached plans together with other documentation required in the aforementioned checklist. Said envelope may be larger than the actual proposed building, but must be precise enough in size and location to allow for a complete functional site layout, including but not limited to: entrances, driveways, parking and loading facilities, paved areas, proposed landscaping, screening, and major vegetation to be retained, etc. If an envelope is used, the envelope must meet all bulk and parking requirements or variances must be included in the petition.
 - No such petition may be accepted for filing unless it complies with these rules of practice and procedure, and all other pertinent zoning laws and regulations. These include the informational requirements of the current zoning public hearing checklists, which are required for determination of zoning compliance.
- OPEN -- The petitioner may choose to submit "open" plans that do not show any proposed use of the property under petition, regardless of any requirement in these rules to the contrary. If an intended use is not indicated, the site plans must indicate only the first eight items on the following checklist. (Also, no existing buildings or uses can be shown on this "open" plan.)

RECLASS.PET (TXTSOPH)
Revised 3/9/94

CHECKLIST FOR INFORMATION TO BE SHOWN ON SITE PLANS
FOR RECLASSIFICATION PETITIONS

- OK JLL Open Plan - No Use Indicated
- North arrow (indicating the direction of north). Scale of drawing (engineer's scale).
 - Title plan: "Undocumented" or "Documented" (whichever applies) "Plan To Accompany Reclassification Petition". Include name, address, telephone number, and signed certification seal of engineer or surveyor preparing the plan.
 - Election district, councilmanic district, and whether or not the property is located in the Chesapeake Bay Critical Area (CBCA). Note on the plan that the site is or is not in a 100 year floodplain. Note on the plan if the site is within a moratorium area or in an area where failure of the basic services maps currently exists per Section 4A02 (BCZR). Identify the nature of the moratorium area or basic service failure. Any zoning variance requests from a failed basic services map is a "special variance" requiring additional fees and information. If this is to be requested, contact Zoning Administration (887-3391) for additional information before filing the petition.
 - Dimensions of property TO BE RECLASSIFIED (including bearings). Parcel under petition should be in bold outline. If separate areas within the area of reclassification require individual zoning hearings, these must be shown with all separate bearings and distances and individually described as required on guide sheet (#2).
 - Relation of tract in question to additional property owned and ownership of all adjacent properties, including the adjacent public roads.
 - Area of property to be reclassified (acres or square feet). If separate areas in reclassification require zoning hearings, these areas must be shown also.
 - Distance from property line (corner) to nearest intersecting street or county road and a scale vicinity sketch, clearly outlining the area of the petition request.
 - Existing and proposed zoning of property under petition and adjoining properties.
 - Use, locations, coverage, floor areas, heights (including engineered scaled and dimensioned elevation drawings), dimensions, character and exterior materials of all proposed and existing structures to be retained. Also, all existing structures to be removed must be indicated.
 - Location, use and orientation of all principal building(s) within a distance of 200 feet from each joint side property line. Distance from said buildings to centerline of street must be shown in order to determine street setback line of proposed building(s) on subject site.
 - Hours of operation, maximum number of employees, and maximum levels of emanations (including sound and other vibrations, dust, odors, gases, and light and heat). In cases where method of operation is not obvious, an explanation of same must be provided (i.e. proposed nursery school should include days and hours of operation, maximum number of teachers and students, method of transportation, etc.).
 - Existing and proposed public and quasi-public facilities on and adjacent to the site, including storm drain systems, water lines, sewerage, streets and drives, and railroad sidings. In the event public water and/or sewer do not exist, location of the private system must be indicated.

CHECKLIST FOR RECLASSIFICATION PETITIONS
PAGE 2

- Existing ponds, streams, natural drainage courses and other bodies of water, watercourses, 100-year flood plains, major vegetation, unusual natural formation, and proposed changes with respect to any of these must be indicated.
- Dimensions of existing and proposed right-of-ways and types of paving of any street adjacent to site.
- Location and width of proposed ingress and egress, and all directional arrows indicating interior circulation of traffic.
- Parking and loading facilities in accordance with Section 409 (BCZR).
- Screening and landscaping must be indicated as required in the Baltimore County Landscape Manual and the BCZR.
- Existing topography and proposed major changes in grade.
- Location, dimension height, square footage, single/double-face, illumination, and content of all signs visible outdoors. Must comply with BCZR or variance must be included in the reclassification petition.
- Buildings must meet building code, as well as fire code, requirements with regard to type of construction, windows, etc.
- Location of all existing and proposed fire hydrants.
- A sealed location plan, inserted on the site plan, must accurately reflect the outline of the parcel(s) for zoning action.
- All site plans must be folded to an approximate size of 8-1/2 inches by 11 inches, with clear distinct lettering.

In order to alleviate any future delays, prior to preparing the required plan, the petitioner or his engineer should contact ZADM, Development Control (Zoning Office) and the following agencies and/or State agency, if located on a state road, for pertinent information that may be required:

Department of Environmental Protection and Resource Management (DEPRM)	537-3980
Public Works, Development Plan Review and Traffic	887-3751
Zoning Administration and Development Management (ZADM), Development Control	887-3391
Office of Planning and Zoning (Planning Only)	887-3211
State Highway Administration	333-1350
Recreation and Parks	887-3823
Assessments (Real Estate Division, Office of Law)	887-3284
Fire Department	887-3998
Solid Waste Management	887-3185
Real Estate Division, Office of Law	887-3255
House Numbers and Street Names	887-3710

RECLASS.PET (TXTSOPH)
Revised 3/9/94

BALTIMORE COUNTY, MARYLAND
Inter-Office Correspondence

TO: W. Carl Richards, PDM DATE: January 17, 1996

FROM: Kathleen C. Bianco
County Board of Appeals

SUBJECT: Out-of-Cycle Exemption-
Request for Reclassification /North side Hollins Ferry Road, West of Aspen Court filed by Associated Catholic Charities, Inc., Contract Purchaser
First Councilmanic District
Approval by County Council January 16, 1996
Date for Hearing before the Board - 3/07/96 @ 10:00 a.m.

Carl:

Pursuant to Section 2-356(i), the Board has scheduled the subject out-of-cycle reclassification petition for hearing on Thursday, March 7, 1996 at 10:00 a.m. in Room 49, Old Courthouse.

This petition for reclassification was approved for hearing out of cycle by the County Council at its January 16, 1996 meeting (a copy of Resolution 5-96 is attached for your information and file).

I have copied Gwen on this memorandum so that the necessary advertising and posting can be accomplished by your office and notices sent to the appropriate parties reflecting the hearing date of March 7, 1996.

Should you have any questions, please call me at extension 3180.

cc: Gwen Stephens
Jeffrey Long /Planning
Office of People's Counsel
Arnold Jablon, Director /PDM
The Honorable S.G. Samuel Moxley
Baltimore County Council

Gwen: Please call me with the case number for this out-of-cycle so I can complete my docket entry. Also, please send me a copy of the notice when it is sent to the parties regarding this hearing date.

Thanks

kathi



Baltimore County
Office of Planning

401 Bosley Avenue
Towson, Maryland 21204
(410) 887-3211
Fax: (410) 887-5862

TO: Baltimore County Planning Board DATE: January 2, 1996

FROM: Arnold F. "Pat" Keller, III
Director
Office of Planning

SUBJECT: REQUEST FOR CERTIFICATION - NORTH SIDE OF HOLLINS FERRY ROAD, 148 FEET WEST OF ASPEN COURT

The attached letter from Robert A. Hoffman, Esquire, on behalf of Associated Catholic Charities, Inc., Contract Purchaser, requests certification by the Planning Board for out of cycle action on a zoning petition for reclassification of the subject property from DR 5.5 to DR 16.

Section 2-356(i) of the Baltimore County Code authorizes the Planning Board to certify to the County Council that expedited scheduling of a reclassification hearing by the Board of Appeals "is manifestly required in the public interest or because of emergency." Neither the certification by the Planning Board nor a concurrence by the County Council would constitute an opinion on the merits of the petition; the effect is simply to take the petition out of the normal cycle zoning schedule for an earlier hearing.

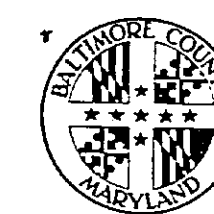
The subject request for certification has been reviewed by planning staff and without taking a position on the merits of the case, we recommend to the Board that certification for early action upon this zoning classification petition is required.

Arnold F. "Pat" Keller, III

AFK:JL:lw
JLMD.B.KKV/PZONE/TXTJWL

Attachment

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on Recycled Paper



Baltimore County
Planning Board

401 Bosley Avenue
Towson, Maryland 21204
(410) 887-3495
Fax: (410) 887-5862

January 10, 1996

Hon. Kevin Kamenez
Chairman, Baltimore County Council
County Courthouse
Towson, Maryland 21204

Re: Certification on Reclassification
Petition - Hollins Ferry Road

Dear Councilman Kamenez:

At a regularly scheduled meeting on January 4, 1996, the Baltimore County Planning Board voted, in accordance with Section 2-356(i) of the County Code, to certify to the County Council that early action upon the petition for zoning reclassification of the property (L.5802/E.190) on the north side of Hollins Ferry Road west of Aspen Court is manifestly required.

Enclosed is the report on this matter by the Office of Planning, as accepted by the Planning Board. The Planning staff will be pleased to assist the Council in the consideration of this matter.

Sincerely,

Arnold F. "Pat" Keller, III
Secretary

AFK/TD/rh

Enclosure

cc: Members, Baltimore County Council
Merreen E. Kelly, Administrative Officer
Thomas Peddicord, Legislative Counsel/Secretary
Brian Rowe, County Auditor
Virginia W. Barnhart, County Attorney
Patrick Roddy, Assistant County Attorney
Robert O. Schuetz, Chairman, Board of Appeals
P. David Fields, Director, Community Conservation
Arnold Jablon, Director, Permits & Development Management
Peter Max Zimmerman, People's Counsel
Robert A. Hoffman, Petitioner's attorney

HOLLINS.FER/PZONE/TXTJWL

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on Recycled Paper



County Council of Baltimore County

Court House, Towson, Maryland 21204
(410) 887-3196
Fax (410) 887-5791

Stephen G. Samuel Moxley
FIRST DISTRICT
Kevin Kaminetz
SECOND DISTRICT
T. Bryan McIntire
THIRD DISTRICT
Douglas B. Riley
FOURTH DISTRICT

Vincent J. Gardina
FIFTH DISTRICT
Joseph Bartenfelder
SIXTH DISTRICT
Louis L. DePazzo
SEVENTH DISTRICT
Thomas J. Peddicord, Jr.
LEGISLATIVE COUNSEL
SECRETARY

January 17, 1996

Robert O. Schuetz, Chairman
Board of Appeals for Baltimore County
400 Washington Avenue
Room 49
Towson, Maryland 21204

Dear Mr. Schuetz:

Attached please find a copy of Resolution 5-96 approving the Planning Board's certification that the zoning reclassification petition filed by Associated Catholic Charities, Inc., Contract Purchaser, for the property located on the north side of Hollins Ferry Road west of Aspen Court and situated in the First Councilmanic District, should be exempted from the regular cyclical procedure of Section 2-356(c) through (h), inclusive, of the Baltimore County Code, 1988, as amended.

This Resolution was unanimously approved by the County Council at its January 16, 1996 meeting and is being forwarded to you for appropriate action.

Sincerely,

Thomas J. Peddicord, Jr.
Legislative Counsel/Secretary

TJP:dp
cc: Phil Worrall, Chairman
Baltimore County Planning Board

R00596.TRN

RE: PETITION FOR RECLASSIFICATION
N/S Hollins Ferry Road, 510' E of
Charleston Avenue, 13th Election Dist.,
1st Councilmanic
Legal Owner: Baltimore County, MD
Contract Purchaser: Hollins Ferry Road
Senior Housing Limited Partnership
(c/o Associated Catholic Charities)
Petitioners
* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of January, 1996, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer and Howard, 210 Allegheny Avenue, P. O. Box 5517, Towson, MD 21204, attorney for Petitioner.

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

IAN-02-96 16:28 FROM: Venable/Towson ID: PAGE 2/5

VENABLE
ATTORNEYS AT LAW

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations
210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21204-5517
(410) 494-6200, Fax (410) 821-0147

OFFICES IN
MARYLAND
WASHINGTON, D.C.
VIRGINIA

Robert A. Hoffman
(410) 494-6262

January 2, 1996

VIA FACSIMILE

Mr. Jeffrey Long
Office of Planning and Zoning
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Re: Proposed Out-of-Cycle Rezoning
Property owned by Baltimore County located
on Hollins Ferry Road - 143 Ft. West of Aspen Court
Lansdowne, Baltimore County

Dear Jeff:

As you know, this firm represents the Associated Catholic Charities, Inc. on a proposed elderly housing development located on Hollins Ferry Road in Lansdowne (see attached plat and vicinity map). The proposal is to construct 64 affordable, elderly housing units on approximately 3 1/2 acres in the referenced location. Unfortunately, the property's DR 5.5 zoning classification does not permit sufficient density to allow for the construction of this project.

Associated Catholic Charities and the Baltimore County Office of Community Conservation are working together to properly position this project by April of 1996 to obtain the necessary zoning and to move forward. In order to obtain State funding this year, this must be accomplished by April, 1996. Therefore, we are requesting that the property be rezoned to DR 16 as an out-of-cycle zoning request under Section 2-356(i) of the Baltimore County Code. Since affordable elderly housing units are desperately needed in this part of Baltimore County, a prompt hearing on the merits before the County Board of Appeals of Baltimore County is manifestly in the public interest.

JAN-02-96 16:28 FROM: Venable/Towson ID: PAGE 3/5

VENABLE
ATTORNEYS AT LAW

Mr. Jeffrey Long
January 2, 1996
Page 2

We, therefore, request that you present this issue to the Baltimore County Planning Board on January 4, 1996, for certification of an out-of-cycle rezoning to the County Council. David Fields, Dale McArdle, of Associated Catholic Charities, Inc., and I will all be in attendance to answer any questions either you or the Planning Board may have.

Yours truly,

Robert A. Hoffman

RAH:pvb
cc: P. David Fields, Director
Dale McArdle

TO:DOCS1/RAH01/0017803.01

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations
OFFICES IN
210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21204-5517
(410) 494-6200, Fax (410) 821-0147

MARYLAND
WASHINGTON, D.C.
VIRGINIA

Robert A. Hoffman
(410) 494-6262

January 23, 1996

Mr. Robert O. Schuetz, Chairman
County Board of Appeals
of Baltimore County
Old Courthouse, Basement
400 Washington Avenue
Towson, Maryland 21204

Re: Petition of Hollins Ferry Road Senior Housing
Ltd. Partnership and Baltimore County, Maryland, Petitioners

Dear Mr. Chairman:

This firm represents the Hollins Ferry Road Senior Ltd. Partnership in its Petition for out-of-cycle reclassification on approximately 3 acres of land in the Lansdowne area of Baltimore County. The case comes before you following a unanimous Baltimore County Council vote on January 16, 1996 to have this Petition for Reclassification heard "out-of-cycle" as being manifestly in the public interest.

The Reclassification Petition and accompanying documented site plans proposes an increase in zoning density from DR 5.5 to DR 16 to allow for the development of a 64 unit elderly apartment project on the property. The property is currently owned by Baltimore County and will be developed by the referenced Limited Partnership controlled by the Associated Catholic Charities of Maryland, Inc.

The Lansdowne area of Baltimore County is in serious need of affordable housing units for the elderly. This proposed 64 unit project will provide affordable units that will only begin to meet these needs. Unfortunately, there is no land available in this area that has sufficient density and can be purchased at such a cost that would allow for the development of such a project. Accordingly, the Petitioner intends to prove that the County Council erred in 1992 when it failed to provide sufficiently zoned land on which

VENABLE
ATTORNEYS AT LAW

Mr. Rob Schuetz
January 23, 1996
Page 2

to construct an affordable elderly project as that proposed in the Petition for Reclassification.

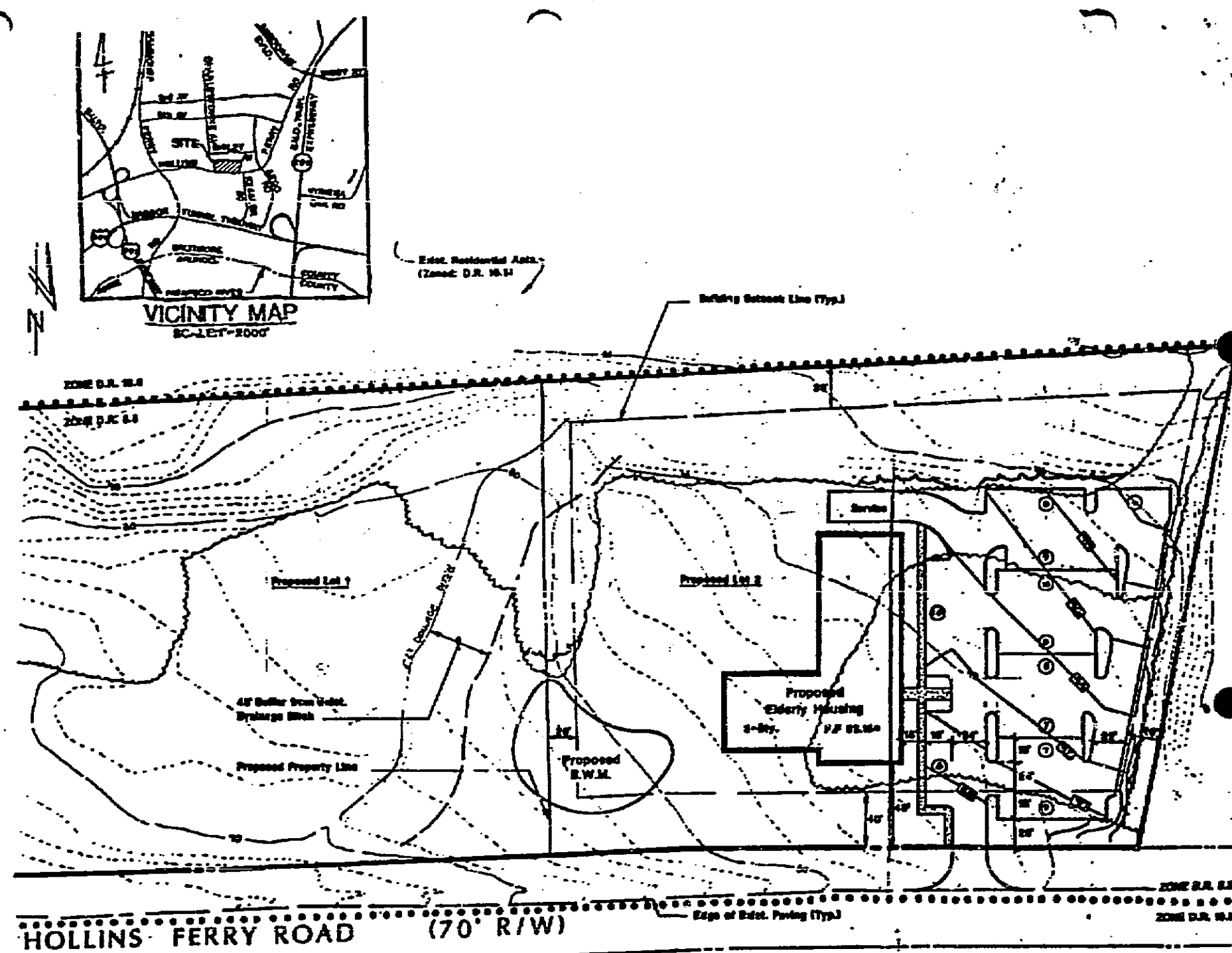
Additionally, the property is abated by developed areas zoned for much higher densities than the DR 5.5 zoning classification currently on the site. This contributes to the argument that an error was made in 1992 and certainly is evidence that the increase in zoning density is appropriate to correct the error that was made on the Comprehensive Map.

Further, Petitioner intends to prove that a mistake or error was made in leaving the DR 5.5 zoning classification and not rezoning the property to DR 16 in accordance with each of the requirements under County Code Section 2-356(j).

Yours truly,

Robert A. Hoffman

RAH:pvb
Enclosure
TO:DOCS1/RAH01/0018623.01



ASSOCIATED CATHOLIC CHARITIES /Hollins Ferry Road Senior Housing Ltd. Partnership (Out-of-Cycle)
/Contract Purchaser; Baltimore County, MD - Legal Owner
13th Election District
1st Councilmanic District

From D.R. 5.5 to D.R. 16

January 4, 1996 Planning Board Meeting and recommendation for early action.
January 16 Approved by County Council.
January 30 Petition for Reclassification from D.R. 5.5 to D.R. 16 filed by Robert A. Hoffman, Esquire, on behalf of Petitioner.

Robert A. Hoffman, Esquire Counsel for Petitioner
VENABLE, BAETJER & HOWARD, LLP
210 Allegheny Avenue
Towson, MD 21204

Dale McArdle, Vice President Petitioner /Contract Purchaser
Hollins Ferry Road Senior Housing Limited Partnership
c/o Associated Catholic Charities
320 Cathedral Street
Baltimore, MD 21201

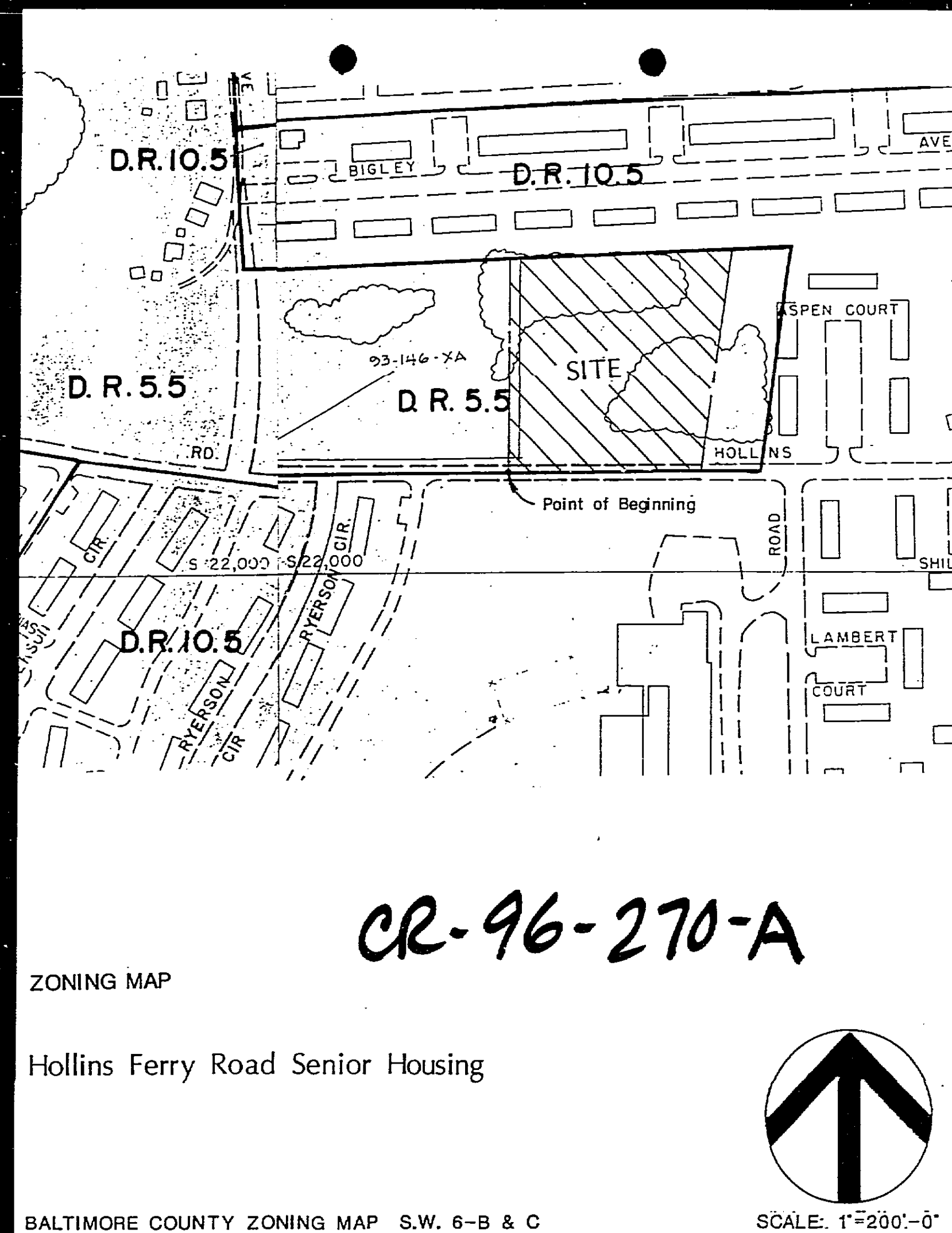
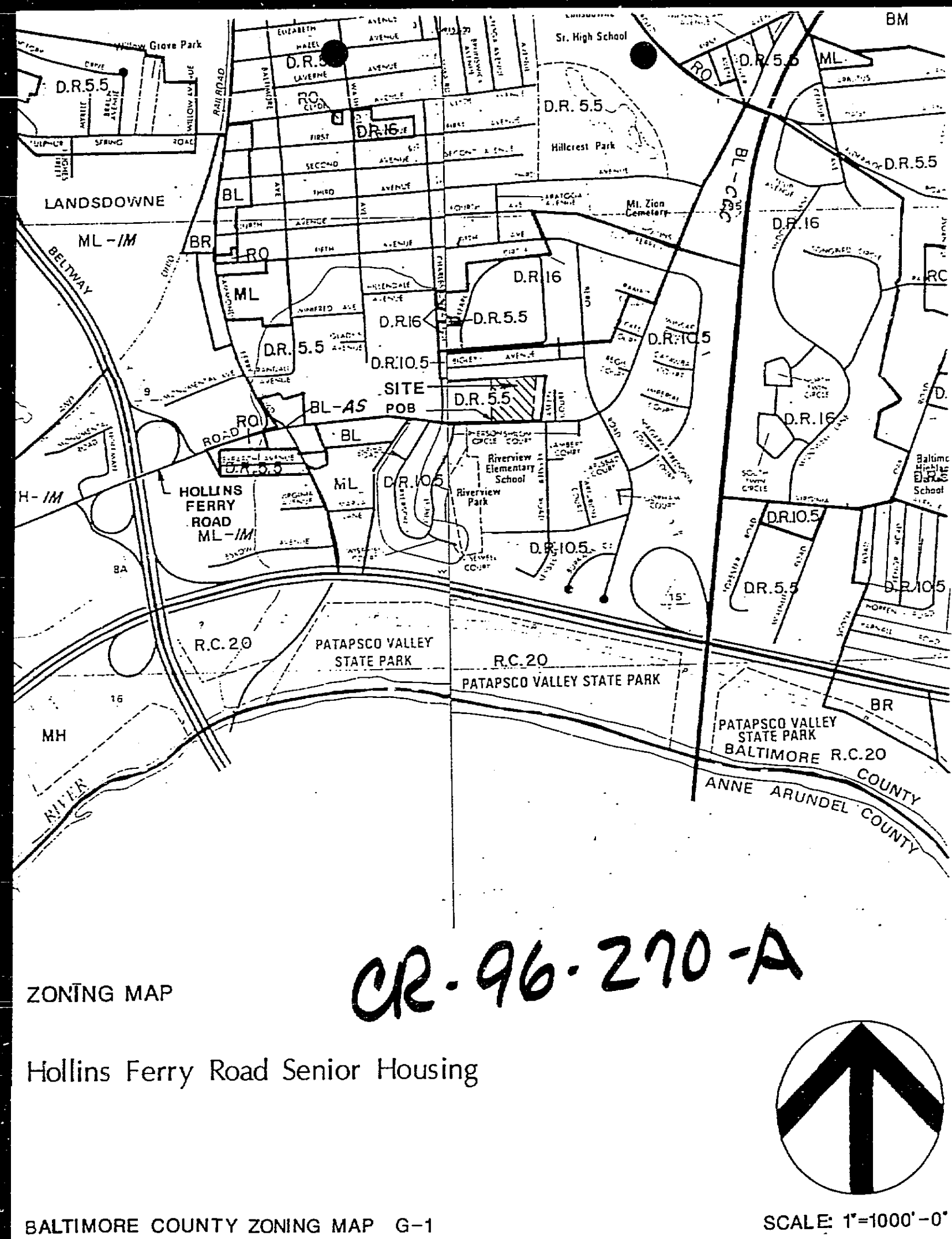
Virginia Wood Barnhart, Co. Atty. Petitioner /Legal Owner
for Baltimore County, Maryland
400 Washington Avenue
Towson, MD 21204

STV, Incorporated Engineer
21 Governor's Court
Baltimore, MD 21244-2722

James Earl Kraft
Baltimore County Board of Education
People's Counsel for Baltimore County
Post Keller

dt
Jr.
rector /PDM

13th Election District
N/S Hollins Ferry Road, 510' E of Charleston Avenue
13th Election District - 1st Councilmanic
Legal Owner: Baltimore County/Maryland
Contract Purchaser: Hollins Ferry Road Senior Housing Limited Partnership
(c/o Associated Catholic Charities of Maryland, Inc.)
The Board of Appeals
Reclassification of property's zoning from D.R. 5.5 to D.R. 16.
Petitioner's proposed rezoning is a "grand rezoning" under the Baltimore County Code, which requires a "grand rezoning" to be held in public hearing and a vote of the Board of Appeals.
Post by: 2/21/96
Robert A. Hoffman



Pet. Ex. 1

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
LEGISLATIVE SESSION 1996, LEGISLATIVE DAY NO. 2

RESOLUTION NO. 5-96

MR. S. G. SAMUEL MOXLEY, COUNCILMAN

BY THE COUNTY COUNCIL, JANUARY 16, 1996

A RESOLUTION of the Baltimore County Council to approve the Planning Board's certification that the zoning reclassification petition filed by Associated Catholic Charities, Inc., Contract Purchaser, for the property located on the north side of Hollins Ferry Road west of Aspen Court and situated in the First Councilmanic District, should be exempted from the regular cyclical procedure of Section 2-356(c) through (h), inclusive, of the Baltimore County Code, 1988, as amended.

WHEREAS, the Planning Board, by Resolution dated January 4, 1996, has certified that early action on the Petition for Zoning Reclassification filed by Associated Catholic Charities, Inc., Contract Purchaser, requesting a reclassification of the above described property, is manifestly required in the public interest or because of emergency; and

WHEREAS, the County Council of Baltimore County, in accordance with the provisions of Section 2-356(i), may approve said certification and exempt the Petition for Zoning Reclassification from the regular procedures of Section 2-356.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the certification by the Planning Board that early action on the zoning reclassification petition filed by Associated Catholic Charities, Inc., Contract Purchaser, be and the same is hereby approved; and

BE IT FURTHER RESOLVED, that the Board of Appeals shall schedule a public hearing on said Petition in accordance with Section 2-356(i) of the Baltimore County Code.

Pet. Ex. 3 **RAH**

1996
COMPREHENSIVE ZONING MAPS
Baltimore County, Maryland
Log of Issues

with
Preliminary Staff Recommendations

March, 1996

Pet. Ex. 4

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Robert O. Schuetz, Chairman DATE: March 6, 1996
Baltimore County Board of Appeals

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning

SUBJECT: CASE NO. CR-96-270-A
BALTIMORE COUNTY, MARYLAND, OWNER/HOLLINS FERRY ROAD SENIOR HOUSING LIMITED PARTNERSHIP CONTRACT PURCHASER (C/O ASSOCIATED CATHOLIC CHARITIES)

At its regularly scheduled monthly meeting on January 4, 1996, the Baltimore County Planning Board voted in accordance with Section 2-356(i) of the County Code, to certify to the County Council that early action upon the Petition for zoning reclassification of the subject property was manifestly required.

The County Council unanimously approved a Resolution approving the Planning Board's certification on January 16, 1996.

Enclosed herewith is copy of the report of the Office of Planning and Community Conservation.

Pat Keller
Arnold F. "Pat" Keller, III

AFK:JL:lw
MEMCR96-270/PZONE/CYCLE

Pet. Ex. 5
March 7, 1996

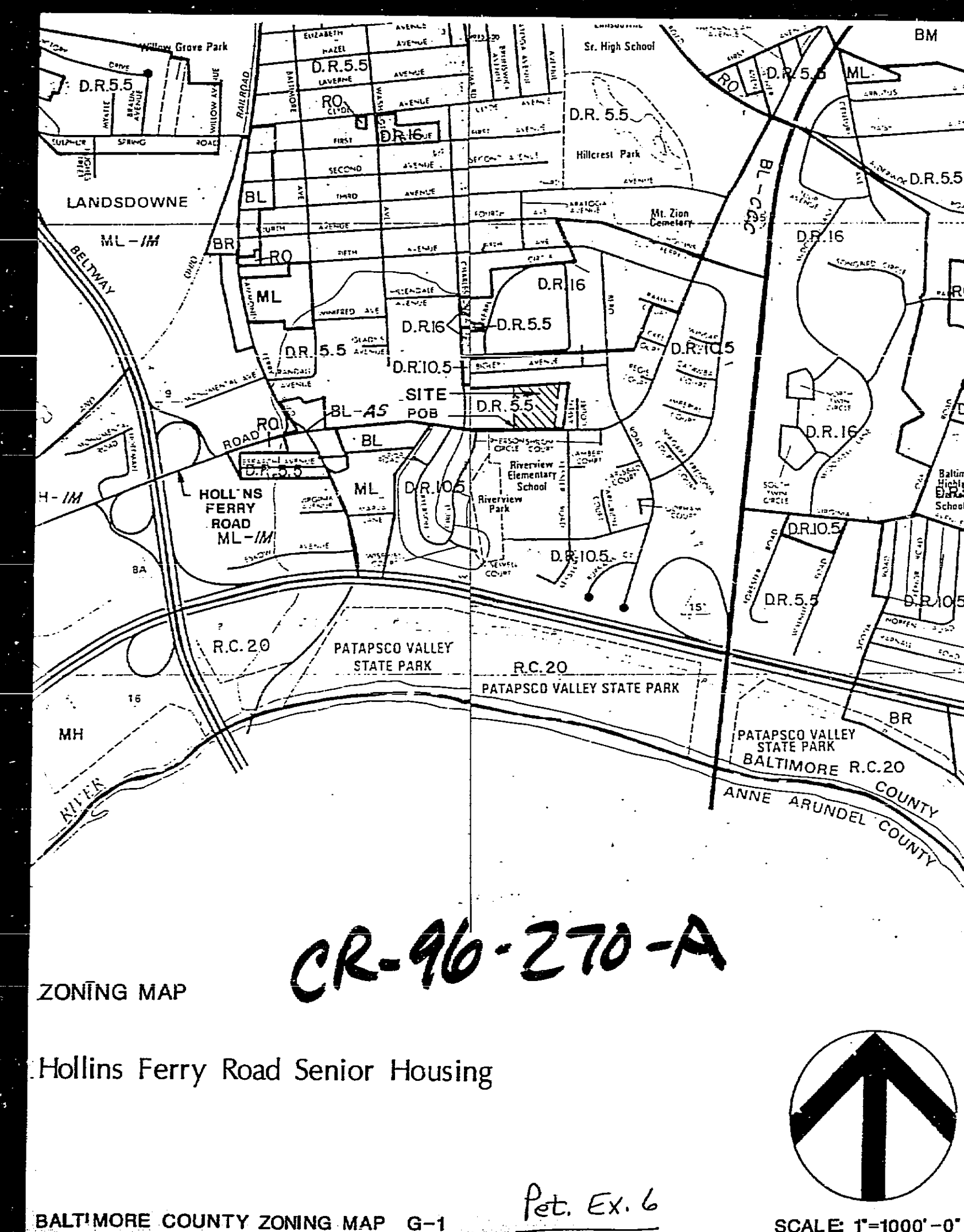
Southwest Leadership Team, Incorporated

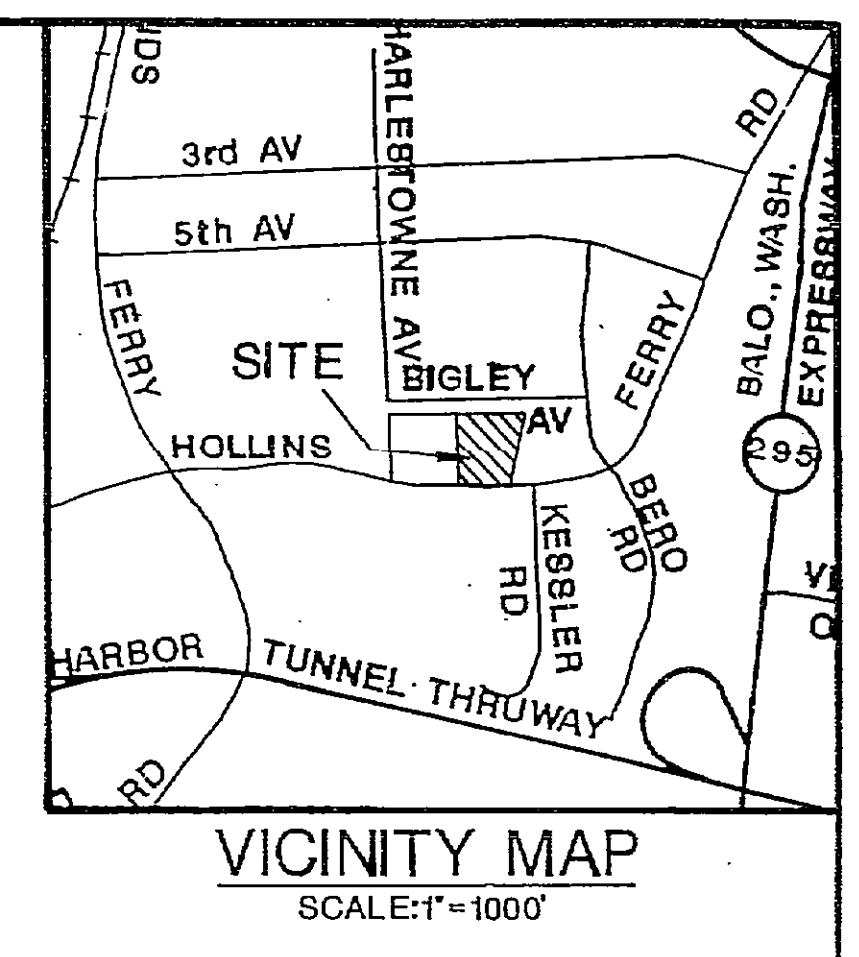
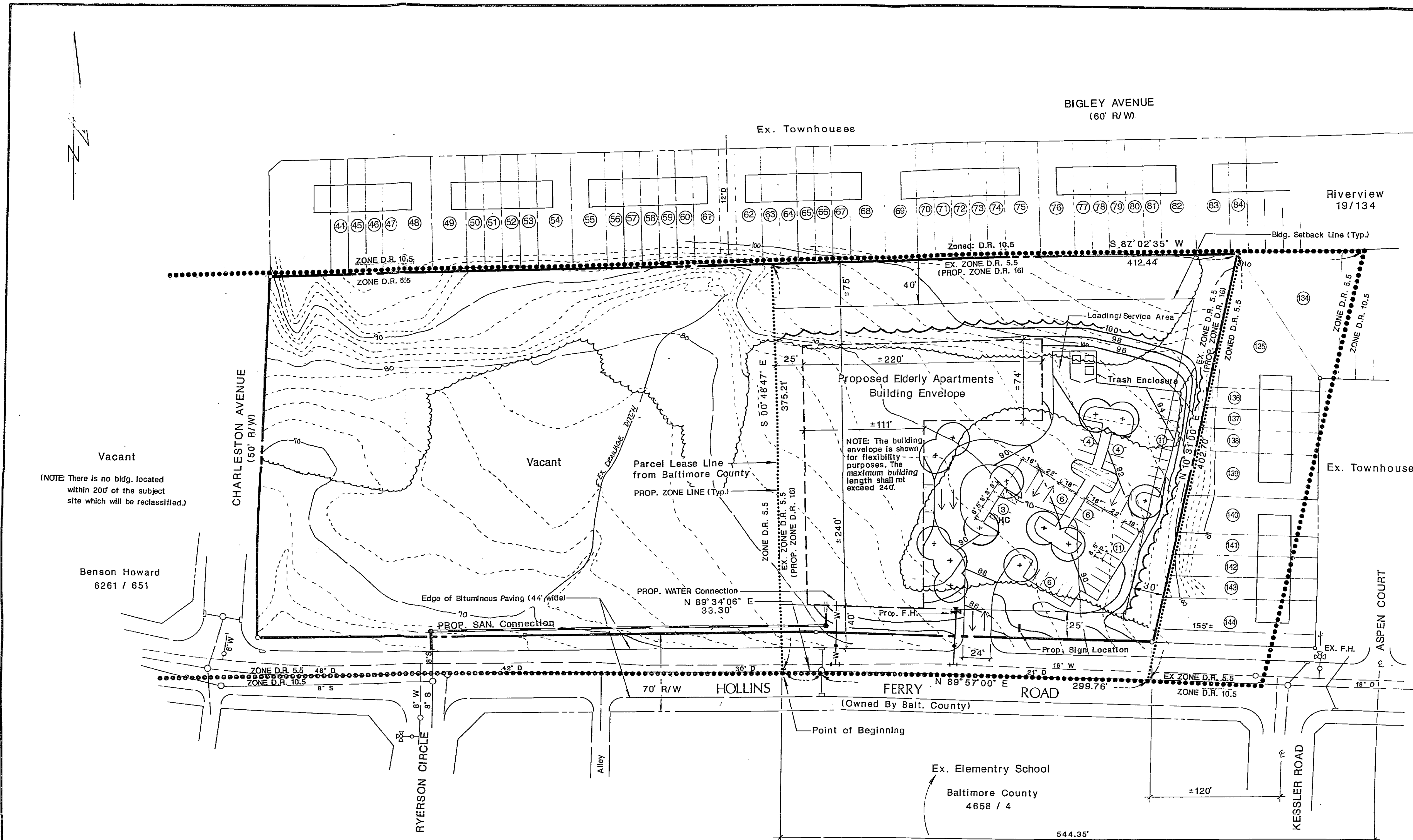
I am here, today, representing the Southwest Leadership Team Incorporated to address the issue 1-009.

We are her representing not only the members within the Southwest Leadership Team Incorporated, who have worked for this Senior Housing for the last three years, we are also submitting support from the following groups within the entire area:

Maryland Citizens for The Environment Incorporated
I am the Director - (410) 247-2325
The Greater Baltimore Highland Community Association Inc.
President - Marge Miller - (410) 789-9260
Citizens for The Environment Chapter One Inc.
Director - Catherine Owings - (410) 636-2185
The Lansdowne Improvement Association Inc.
President - Jake Miller - (410) 242-4197
Southwest Leadership Team Inc.
President - Father Steve Girard - (410) 242-1515
Corporate Officer - myself

This project is sorely needed for our seniors. The zone must be changed from DR 5.5 to DR 16.





General Notes:

- APPLICANT: HOLLINS FERRY ROAD SENIOR HOUSING LIMITED PARTNERSHIP, 12301 BALTIMORE AVENUE, BALTIMORE, MARYLAND 21286
- OWNER: BALTIMORE COUNTY, MARYLAND, 100 WASHINGTON AVENUE, BALTIMORE, MARYLAND 21204
- ELECTION DISTRICT: 13
- COUNCILMANIC DISTRICT: 13
- SITE DATA:
 - EXISTING USE: VACANT
 - PROPOSED USE: ELDERLY HOUSING-APARTMENTS, CLASS A
 - ZONING: EXISTING ZONE: DR 11 (DENSITY, RESIDENTIAL); PROPOSED ZONE: DR 10.5 (DENSITY, RESIDENTIAL)
 - SITE AREA: (NET): 1.617 AC (110,232 S.F.); (GROSS): 1.25 AC (INCLUDING 30' OF HOLLINS FERRY ROAD)
- DENSITY ALLOWED: 5.2 AC @ 14 UNITS/AC = 72.8 UNITS
- DENSITY PROPOSED:

1. 1 BEDROOM UNITS @ 75 D.U./AC	41.5
2. 2 BEDROOM UNITS @ 10 D.U./AC	10
3. EFFICIENCY UNITS @ 9 D.U./AC	21.3
TOTAL	72.8
- PARKING REQUIRED: 44 UNITS @ 1 SP/1.5 = 43 SPACES
- PARKING PROVIDED: 51 SPACES
- ALL PARKING SPACES SHALL BE PERMANENTLY STRIPED. ALL PARKING SHALL BE PAVED WITH DURABLE MATERIALS, AND PROPERLY DRAINAGE SURFACE MAINTAINED SO AS NOT TO CREATE ANY UNDESIRABLE CONDITIONS.
- DEED REFERENCE: 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 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